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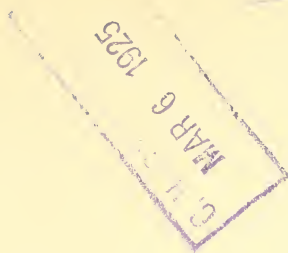
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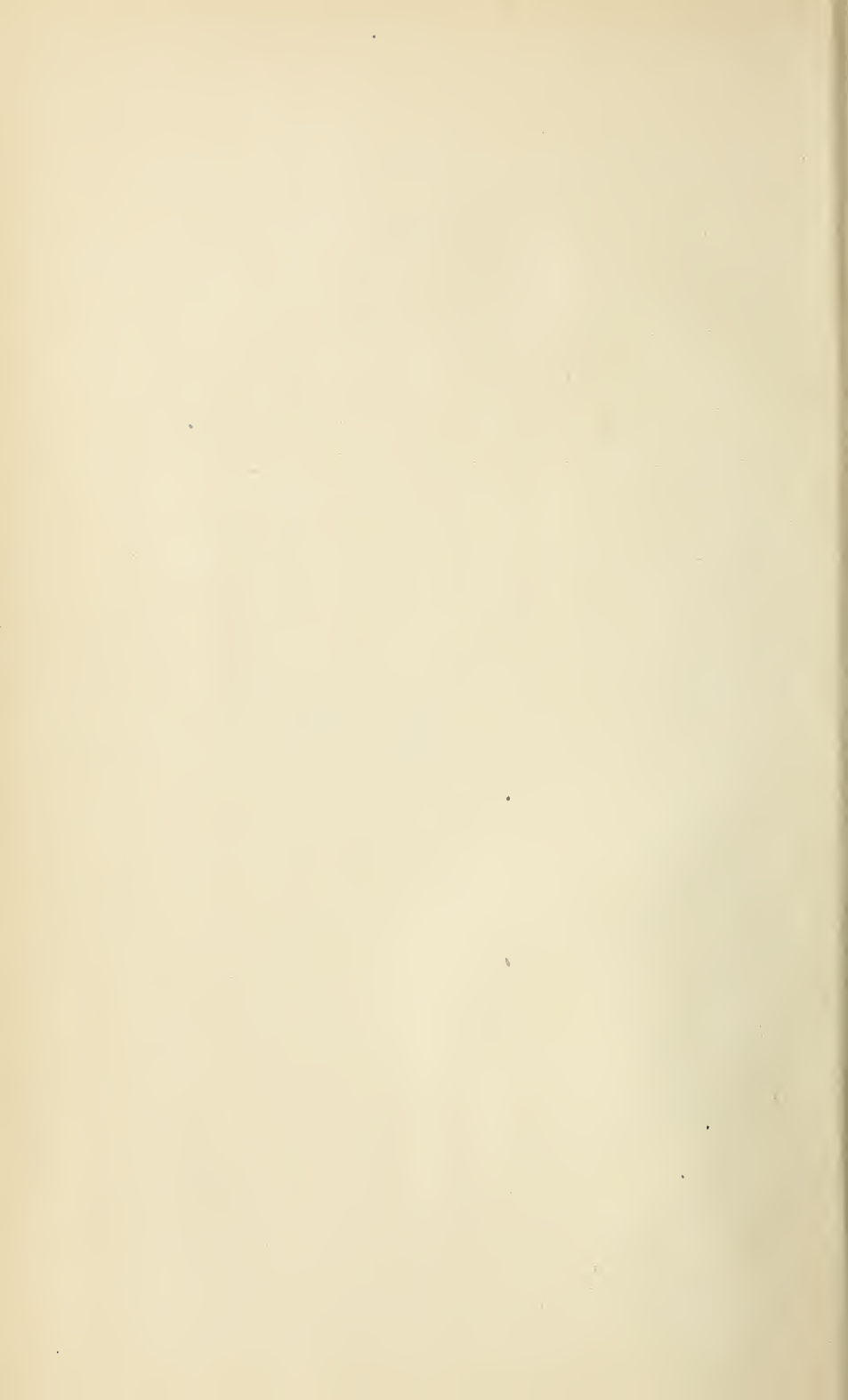


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# United States Department of Agriculture.

## SERVICE AND REGULATORY ANNOUNCEMENTS.

BUREAU OF CHEMISTRY.

### SUPPLEMENT.

N. J. 11001-11050.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., January 19, 1923.]

## NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

**11001. Misbranding of Lungardia. U. S. v. 2 Packages, 3½ Dozen [23½ Dozen] Bottles of Lungardia. Default decree ordering destruction of the product. (F. & D. No. 12095. I. S. No. 17457-r. S. No. E-1979.)**

On or about March 30, 1920, the United States attorney for the Northern District of West Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 2 packages, 3½ dozen bottles [23½ dozen bottles] of Lungardia, remaining unsold in the original unbroken packages at Grafton, W. Va., alleging that the article had been shipped by the Lungardia Co., Inc., Dallas, Tex., on or about October 15, 1919, and transported from the State of Texas into the State of West Virginia, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton) "Guard Your Lungs With Lungardia \* \* \* Against Influenza, Consumption, Pneumonia \* \* \* A Most Wonderful Remedy A Real Guardian For The Lungs. \* \* \* A Real Guardian \* \* \* Against \* \* \* Pneumonia and Consumption. \* \* \* Compounded To Combat Influenza \* \* \* In All Its Stages With Marvelous Success—Even After The Disease Has Reached \* \* \* Acute Pneumonia, Reducing The Temperature Quickly And Opening The Lungs And Respiratory Organs As A 'Key Unlocks A Door'. \* \* \* The Most Wonderful Remedy for Sore Throat, Croup And Diphtheria. \* \* \*;" (bottle) "Guard Your Lungs With Lungardia \* \* \* Against Influenza \* \* \* Pneumonia \* \* \* A Most Wonderful Remedy A Real Guardian For The Lungs \* \* \* the most wonderful remedy for Sore Throat, Croup and Diphtheria. \* \* \*;" (circular) "Lungardia \* \* \* will do more for the prevention and relief of Influenza, Pneumonia, Deep-seated Coughs \* \* \* than any other \* \* \* remedy. \* \* \* Pneumonia, due to the presence of Influenza bacillus. The function of Lungardia is to destroy this germ, open up the respiratory organs, remove the thick mass of sputum, soothe and heal the irritation, \* \* \* and remove the danger \* \* \* that \* \* \* Consumption may not become active. \* \* \* Knowing that thousands were dying daily from the Influenza and suffering from resultant conditions, \* \* \* the Lungardia Company labored faithfully to put Lungardia on the market \* \* \* to combat the disease, as well as the conditions preceding and following it. \* \* \* wonderful results obtained from its use, \* \* \* wonderful merits of Lungardia in deep-seated coughs \* \* \* a few doses quickly opens up the respiratory organs and loosens the most deep-seated cough. \* \* \* attacks the disease with power \* \* \* In \* \* \* Consumption, two or more doses may be taken daily, \* \* \* If you have an annoying cough, \* \* \* if you are recovering from Influenza, \* \* \* if you have a racking [hacking] tight cough and sore lungs, \* \* \* if suffering with acute Pneumonia, use Lungardia. You will find it to be all that it is



represented \* \* \*;" (testimonials in circular) " \* \* \* if one takes Lungardia soon enough, he or she simply will not contract the Influenza or Pneumonia. If they take it after the disease has asserted itself, it will begin from the first dose to arrest it. If \* \* \* they have the persistent cough and sore lungs, that so often remain as an annoying condition, it will quickly dispel it; relief being noted in a very short time. \* \* \* I have not known of Lungardia Failing In A Single Case. The Influenza or Pneumonia has no terror for me if I can get this remedy. \* \* \* if this remedy was used in every home the dread of Influenza and Pneumonia \* \* \* would be \* \* \* eliminated \* \* \* Influenza \* \* \* a racking cough \* \* \* a high fever \* \* \* and lungs apparently closing fast. \* \* \* Lungardia was administered. \* \* \* within two hours fever was reduced to normal \* \* \* patient easy and convalescent. \* \* \* I have \* \* \* suffered with \* \* \* persistent \* \* \* deep-seated, painful cough, \* \* \* for three weeks. \* \* \* Lungardia \* \* \* quickly reached the seat of the trouble, invading the cells of the lungs, loosening the phlegm from the throat, and as marvelous as it may seem, in thirty-six hours dispelling the cough."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of kerosene oil, turpentine oil, cassia oil, clove oil, extract from a laxative plant drug, sugar, gum, alcohol, and water.

Misbranding of the article was alleged in substance in the libel for the reason that the above-quoted statements appearing in the labeling thereof, regarding the curative and therapeutic effect of the said article, were false and fraudulent in that it contained no ingredient or combination of ingredients capable of producing the effect claimed.

On November 9, 1921, no claimant having appeared for the property, judgment of the court was entered finding the product to be misbranded and ordering its destruction by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11002. Adulteration and misbranding of salt herring. U. S. v. 126 Kegs and 91 Kegs of Salt Herring. Default decrees of condemnation, forfeiture, and destruction.** (F. & D. Nos. 15364, 15365. I. S. Nos. 3512-t, 3513-t. S. Nos. C-3203, C-3204.)

On September 9, 1921, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 217 kegs of salt herring, remaining in the original unbroken packages at Duluth, Minn., alleging that the article had been shipped in part by Jones Bros., Cornucopia, Wis., August 24, 1921, and in part by I. R. Chape, Fort Wing, Wis., August 23, 1921, and transported from the State of Wisconsin into the State of Minnesota, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended.

Adulteration of the article was alleged in the libels for the reason that it consisted wholly or in part of a filthy and decomposed animal substance.

Misbranding was alleged for the reason that the article was [food] in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On September 13, 1921, it having appeared that the product was in such a decomposed condition that it was a menace to public health, on motion of the United States attorney, it was ordered by the court that the product be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11003. Misbranding of mineral heave compound. U. S. v. 1 Dozen Cans and 15 Cans of Mineral Heave Compound. Default decrees of condemnation, forfeiture, and destruction.** (F. & D. Nos. 15368, 15381. S. Nos. E-3579, E-3582.)

On or about September 9 and 13, 1921, respectively, the United States attorney for the Western District of New York, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 2½ dozen cans of mineral heave compound, consigned by the Mineral Heave Remedy Co., Pittsburgh, Pa., remaining unsold in the original unbroken packages at Buffalo, N. Y., alleging that the article had been shipped in part on or about June 6 and in part on or about July 6, 1921, and transported from the State of Pennsylvania into the State of New York, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of 63 per cent of gypsum, 8 per cent of sulphur, and 29 per cent of wheat flour.

It was alleged in substance in the libels that the article was misbranded for the reason that the following statements appeared on the labels of the cans containing the said article, " \* \* \* Heave Compound \* \* \* For Heaves \* \* \* and Wind Diseases in Horses \* \* \* heaving should gradually disappear. \* \* \* continue treatment \* \* \* until heaving entirely disappears. For an average case of heaves \* \* \* in more obstinate cases \* \* \*," whereas it contained no ingredients or combination of ingredients capable of producing the curative and therapeutic effect claimed.

On September 30 and October 25, 1921, respectively, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11004. Adulteration of oranges. U. S. v. 404 Cases of Oranges. Decree by consent ordering release of product under bond to be salvaged. Product destroyed.** (F. & D. No. 16178. I. S. No. 12428-t. S. No. C-3528.)

On March 24, 1922, the United States attorney for the Eastern District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 404 cases of oranges, remaining unsold in the original unbroken packages at Ardmore, Okla., alleging that the article had been shipped by the Randolph Marketing Co., from Redlands, Calif., on or about March 11, 1922, and transported from the State of California into the State of Oklahoma, and charging adulteration in violation of the Food and Drugs Act. The article was labeled variously in part: "Randolph Special, Washington Navel Brand Packed by Randolph Fruit Company, Redlands, California;" "Geranium Brand, Washington Navel;" "Randolph Special Medium Sweet Brand;" "Geranium Medium Sweet Brand;" "Randolph Special Saint Michaels Brand."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a decomposed vegetable substance.

On March 27, 1922, the Randolph Marketing Co., Los Angeles, Calif., having entered an appearance as claimant for the property and having admitted the allegations of the libel, judgment of the court was entered ordering that the product be released to the claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$2,000, in conformity with section 10 of the act, conditioned in part that it be shipped to Chicago, Ill., to be salvaged under the supervision of this department. The product was found unfit for use and was destroyed.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11005. Adulteration of butter. U. S. v. 315 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond.** (F. & D. No. 16687. I. S. Nos. 3757-v, 3759-v. S. No. C-3742.)

On July 31, 1922, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 315 tubs of butter, remaining unsold in the original packages at Chicago, Ill., alleging that the article had been shipped by the North American Creamery Co., Paynesville, Minn., July 13, 1922, and transported from the State of Minnesota into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that a substance, to wit, excessive water, had been mixed and packed with the said article so as to reduce and lower and injuriously affect its quality and strength, for the further reason that a substance deficient in milk fat and high in moisture had been substituted in part for the said article, and for the further reason that a valuable constituent of the article, to wit, butter fat, had been in part abstracted therefrom.

On August 29, 1922, the North American Creamery Co., Paynesville, Minn., having entered an appearance as claimant for the property and having admitted the material allegations of the libel and consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in



conformity with section 10 of the act, conditioned in part that the said product be reprocessed in such manner as to remove the excess water, under the supervision of this department.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11006. Adulteration and misbranding of butter. U. S. v. 34 Tubs of Butter. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 16514. I. S. No. 1507-v. S. No. E-4164.)**

On September 5, 1922, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel of information for the seizure and condemnation of 34 tubs of butter, remaining in the original unbroken packages at Boston, Mass., alleging that the article had been shipped by the Lisbon Creamery, Lisbon, N. Dak., on or about August 1, 1922, and transported from the State of North Dakota into the State of Massachusetts, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that a substance, to wit, excessive water, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength and had been substituted in part for butter, which the said article purported to be, and for the further reason that a valuable constituent of the said article, to wit, butter fat, had been in part abstracted.

Misbranding was alleged for the reason that the article was an imitation of and offered for sale under the distinctive name of another article, to wit, butter.

On October 17, 1922, the Lisbon Creamery Co., Lisbon, N. Dak., having entered an appearance as claimant for the property and having filed a satisfactory bond in conformity with section 10 of the act, judgment of condemnation was entered, and it was ordered by the court that the product might be released to the said claimant upon payment of the costs of the proceedings.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11007. Adulteration and misbranding of flour. U. S. v. 205 Sacks and 205 Sacks of Flour. Decrees of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 16596, 16604. I. S. Nos. 14060-t, 14061-t. S. Nos. W-1147, W-1151.)**

On July 7 and 8, 1922, respectively, the United States attorney for the Southern District of California, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 410 sacks of flour, remaining in the original unbroken packages at Los Angeles, Calif., consigned by the Rose City Flour Mills, St. Johns, Oreg., alleging that the article had been shipped from St. Johns, Oreg., on or about June 27, 1922, and transported from the State of Oregon into the State of California, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. A portion of the article was labeled in part: "Snowdrop Pastry & Family Flour Allen Flour Company San Francisco—Los Angeles, Cal. Net weight 98 Lbs. when Packed Snowdrop." The remainder of the article was labeled in part: "Allen's Short Pastry Flour Manufactured for Allen Flour Company San Francisco—Los Angeles, Calif. Bleached 98 Lbs. Short Pastry."

Adulteration was alleged in the libel with respect to a portion of the article for the reason that water had been mixed and packed with and substituted wholly or in part for the said article.

Misbranding was alleged with respect to all of the said article for the reason that the statement, "98 Lbs.," appearing on the sacks containing a portion of the article, and the statement, "Allen Flour Company San Francisco—Los Angeles, \* \* \* 98 Lbs.," appearing on the remainder of the said sacks, were false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the packages.

On July 11, 1922, the Allen Flour Co., San Francisco, Calif., having entered an appearance as claimant for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of bonds in the aggregate sum of \$3,000, in conformity with section 10 of the act.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11008. Adulteration of shell eggs. U. S. v. 119 Cases and 155 Cases of Shell Eggs. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 16748, 16749. I. S. Nos. 1104-v, 1107-v. S. Nos. E-4112, E-4113.)**

On or about July 28, 1922, the United States attorney for the District of Maryland, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 274 cases of shell eggs, remaining in the original unbroken packages at Baltimore, Md., having arrived on or about July 26, 1922, alleging that the article had been shipped by Stevens Bros., from Greenville, Tenn., and transported from the State of Tennessee into the State of Maryland, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Stevens Bros. Greenville, Tenn., Baltimore, Md."

Adulteration of the article was alleged in substance in the libels for the reason that it contained an excessive amount of eggs which were decomposed in whole or in part.

On July 30, 1922, the two cases having been consolidated into one action and R. Nelson Stevens, trading as Stevens Bros., having entered an appearance as claimant for the property and having admitted the material allegations of the libels, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that the said product be inspected and assorted under the supervision of this department and that the portion thereof which was not adulterated might be disposed of for human consumption.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11009. Adulteration of shell eggs. U. S. v. 400 Cases of Eggs. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 16751. I. S. No. 3929-v. S. No. C-3757.)**

On or about August 2, 1922, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 400 cases of eggs, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by S. E. Hackman Co., Holdrege, Nebr., July 7, 1922, and transported from the State of Nebraska into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance in the libel for the reason that it consisted in part of a filthy animal substance, for the further reason that it consisted in part of a decomposed animal substance, and for the further reason that it consisted in part of a putrid animal substance.

On August 17, 1922, the Frank G. Heilman Co., Chicago, Ill., claimant, having admitted the allegations of the libel and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that the said product be candled under the supervision of this department, the bad portion destroyed and the good portion released.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11010. Misbranding of Giepsi Vemela. U. S. v. 9 Bottles of Giepsi Vemela. Default decree ordering destruction of the product. (F. & D. No. 14944. I. S. No. 10802-t. S. No. W-924.)**

On July 21, 1921, the United States attorney for the District of New Mexico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 9 bottles of Giepsi Vemela, remaining unsold in the original unbroken packages at Las Cruces, N. Mex., alleging that the article had been shipped by the Giepsi Vemela Co., Douglas, Ariz., February 4, 1921, and transported from the State of Arizona into the State of New Mexico, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of vegetable extractives, sugar, and water.

Misbranding of the article was alleged in substance in the libel for the reason that the bottles and cartons containing the said article and the accompanying circulars bore certain statements, designs, and devices regarding its curative



and therapeutic effect, to wit, (carton, English and Spanish) " \* \* \* for the tuberculosis, colds, coughs, anemia and general debility," (bottle, English and Spanish) " \* \* \* It is recommended for tuberculosis, colds, coughs, anemia and general debility \* \* \* In serious cases \* \* \*," (circular, English) "Giepsi Vemela \* \* \* excellent results \* \* \* obtained in the treatment of all impurities of the blood. \* \* \* and for the results that have been obtained in the treatment of tuberculosis. \* \* \* For the impurities of the blood, such as pimples, tumors, fistula, swelling of the feet, ankles and legs, and irritation of the blood. \* \* \* For coughs, colds, bronchitis, whooping cough, sore throat, \* \* \* If you want your body to be strong, to stand the effects of cold weather, we recommend you to take one or two bottles and you will be surprised to see how well it will build you up. For disorders and sickness of the stomach \* \* \* For anemia, tuberculosis and general debility, \* \* \* tuberculosis of the stomach and Bowels. \* \* \* my stomach was so badly infected that I could not eat, \* \* \* Since I have been taking this Giepsi Vemela I can eat any kind of food, and can do a man's work, before taking it I could not. \* \* \* Giepsi Vemela, has cured me \* \* \*

This medicine is not only a good medicine for Tuberculosis, but for coughs and colds, and weak stomach, and lungs," (circular, Spanish) "The Specific 'Giepsi Vemela' Is today recognized among the most highly estimated remedies by the excellent results which it has demonstrated in the treatment of diseases of the blood. \* \* \* also for the results which have been demonstrated in the treatment of Phthisis, even in the third period. \* \* \* impurities of the blood which are manifested in the following forms: Pimples, Tumors, Ulcers in the throat or nose, Swellings which appear without cause, Irritations of the skin and Lockjaw. This medicine is recommended especially for Anemia, Catarrhal Colds, Bronchitis, Coughs and Whooping Cough, Sore Throat and Hoarseness. For the Diseases of the Stomach, such as Cholera, Sick Stomach, \* \* \* Tuberculosis, Bronchitis, Catarrhal Colds, Coughs and Whooping Coughs, Sore Throat and Hoarseness, Tumors, Fistulas, Swellings, Lockjaw, Blackheads \* \* \* for diseases of the Stomach, such as Sick Stomach, Colic, General Debility, Diarrhea and Cramps \* \* \* in serious cases \* \* \* I suffered with a cough for ten years \* \* \* a bottle of 'Giepsi Vemela' \* \* \* completely restored my health \* \* \* as a result of pneumonia I had suffered a serious complication of the stomach called tuberculosis of the large intestine. \* \* \* but my brother came to visit me bringing a bottle of 'Giepsi Vemela' \* \* \* Having taken the first bottle I felt much better. I took three more \* \* \* am today completely restored, therefore I recommend it as a marvel \* \* \* For more than a year I suffered with a violent cough \* \* \* finally 'Giepsi Vemela' was recommended, of which I took only two bottles. Today I am entirely well," which said statements relative to the curative and therapeutic effects of the said article were false and fraudulent in that it contained no ingredient or combination of ingredients capable of producing the results claimed. Misbranding was alleged for the further reason that the said carton bore the following, "Guaranteed under the Food and Drugs Act," and the said circular bore in Spanish the following, "Giepsi Vemela was subjected to the laws required by the United States of America before being placed on the market," which said statements were false and were intended to deceive and to stimulate the sale of the said article.

On February 23, 1922, no claimant having appeared for the property, judgment of the court was entered ordering that the product be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11011. Misbranding of olive oil. U. S. v. 18 Cans, et al., of Olive Oil. Default decrees ordering sale of the property.** (F. & D. Nos. 15419, 15420, 15421. I. S. Nos. 238-t, 239-t, 240-t. S. No. C-3266.)

On June 8, 1922, the United States attorney for the District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 38 2-quart cans, 57 quart cans, and 18 pint cans of olive oil, remaining in the original unbroken packages at Indiana Harbor, Ind., alleging that the article had been shipped by Deligiannis Bros., Chicago, Ill., in part on or about August 3, and in part on or about August 26, 1921, and transported from the State of Illinois into the State of Indiana, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: "Net Contents Two Quarts" (or "One Quart" or "One Pint") " \* \* \* Pure Olive Oil Universal Brand Deligiannis Bros. Chicago, U. S. A."



Examination by the Bureau of Chemistry of this department of samples of the article from each of the various-sized cans showed that they contained less than the amount declared on the labels.

Misbranding of the article was alleged in substance in the libels for the reason that the statements in the labels of the respective-sized cans containing the said article, to wit, "Net Contents Two Quarts," "Net Weight [Contents] One Quart," and "Net Weight [Contents] One Pint," as the case might be, were false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On June 14, 1922, no claimant having appeared for the property, judgments of the court were entered ordering that the product be sold by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11012. Adulteration and misbranding of caraway seed and coriander seed. U. S. v. 158 Bags of Caraway Seed and 522 Bags of Coriander Seed. Consent decree of condemnation and forfeiture with respect to the caraway seed and product released under bond. Default decree of condemnation, forfeiture, and sale with respect to the coriander seed.** (F. & D. Nos. 15758, 15759. I. S. Nos. 15553-t, 15554-t. S. Nos. E-3781, E-3782.)

On April 22, 1922, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 158 bags of caraway seed and 522 bags of coriander seed, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by S. C. Coriat, from Casablanca, Morocco, entering on or about April 24 and 26, 1919, respectively, and transported from a foreign country into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the articles was alleged in the libel for the reason that each was sold under and by a name recognized in the United States Pharmacopœia and differed from the standard of strength, quality, or purity as determined by the test laid down in the said Pharmacopœia, official at the time of investigation. Adulteration was alleged for the further reason that excessive dirt, foreign seeds, and stems had been mixed and packed with and substituted wholly or in part for the said caraway seed, and that excessive foreign matter and bored seeds had been mixed and packed with and substituted wholly or in part for the coriander seed.

Misbranding was alleged for the reason that the said articles were imitations of and were offered for sale under the names of other articles.

On October 7, 1922, Julius Loewith, Inc., New York, N. Y., having entered an appearance as claimant for the caraway seed and having consented to the entry of a decree with respect to the same, and no claimant having appeared for the coriander seed, judgment was entered providing for the condemnation and forfeiture of both products, and it was ordered by the court that the caraway seed be released to the claimant therefor upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that it be exported as an adulterated and misbranded product, and that the coriander seed be sold by the United States marshal, and that the purchaser thereof execute a bond in the sum of \$2,500, in conformity with section 10 of the act, conditioned in part that it be used for technical purposes only, or exported beyond the jurisdiction of the United States.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11013. Adulteration of prunes. U. S. v. 292 Boxes, 934 Sacks, and 600 Sacks of Prunes. Consent decree of condemnation and forfeiture. Product released under bond.** (F. & D. Nos. 16353, 16354. S. No. E-3882.)

On June 1, 1922, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 292 boxes and 1,534 sacks of prunes, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped from San Francisco, Calif., on or about May 8, 1922, and transported from the State of California into the State of New York, and charging adulteration in violation of the Food and Drugs Act. A portion of the article was labeled in part: "Rose Brand Prunes 25 Lbs. Net."

Adulteration of the article was alleged in the libel for the reason that it consisted wholly or in part of a filthy, decomposed vegetable substance.

On October 17, 1922, Joseph Zweiter, New York, N. Y., claimant, having admitted the allegations of the libel and consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$3,000, in conformity with section 10 of the act, conditioned in part that the article be sorted under the supervision of this department, the bad portion destroyed and the good portion delivered to the claimant.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11014. Adulteration of chloroform. U. S. v. 100 Tins, et al., of Chloroform. Default decrees of condemnation, forfeiture, and destruction.** (F. & D. Nos. 16466, 16467, 16468, 16607, 16623, 16626. S. Nos. C-3660, C-3661, C-3662, C-3692, C-3693, C-3694.)

On June 26, July 10, and July 12, 1922, respectively, the United States attorney for the Northern District of Illinois, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 634 cans of chloroform at Chicago, Ill., alleging that the article had been shipped in various consignments, between the dates of March 3 and May 27, 1922, and transported from the State of New York into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Chloroform for Anæsthesia."

Analyses of samples of the article by the Bureau of Chemistry of this department showed that it was turbid and contained chlorinated decomposition products.

Adulteration of the article was alleged in the libels for the reason that it was sold under a name recognized in the United States Pharmacopœia, and differed from the standard of strength, quality, and purity as determined by the test laid down in said Pharmacopœia, official at the time of investigation.

On September 15, 1922, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11015. Adulteration and misbranding of butter. U. S. v. 30 Tubs and 49 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond.** (F. & D. Nos. 16516, 16779. I. S. Nos. 1503-v, 1504-v, 1505-v, 1506-v, 1510-v, 1511-v, 1512-v, 1513-v, 1612-v, 1613-v, 1614-v. S. Nos. E-4147, E-4167.)

On August 28 and September 11, 1922, respectively, the United States attorney for the District of Massachusetts, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 30 tubs and 49 tubs of butter, remaining in the original unbroken packages at Boston and East Boston, Mass., respectively, alleging that the article had been shipped by the Deer River Creamery Co., the 30 tubs from Deer River, Minn., on or about August 3, 1922, and the 49 tubs from Duluth, Minn., on or about August 17, 1922, and that it had been transported from the State of Minnesota into the State of Massachusetts, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libels for the reason that a substance, to wit, excessive water and moisture, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and had been substituted in part for butter, which the said article purported to be, and for the further reason that a valuable constituent thereof, to wit, butter fat, had been in part abstracted.

Misbranding was alleged for the reason that the article was an imitation of and offered for sale under the distinctive name of another article, to wit, butter.

On September 20, 1922, the cases having been consolidated into one action, and the Alley, Greene & Pipe Co., Boston, Mass., having entered an appearance as claimant for the property and having filed a satisfactory bond in conformity with section 10 of the act, judgment of condemnation was entered, and it was ordered by the court that the product might be released to the said claimant upon payment of the costs of the proceedings.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11016. Adulteration and misbranding of canned tomatoes. U. S. v. 85 Cases of Canned Tomatoes. Decree entered ordering release of product under bond. (F. & D. No. 16630. I. S. No. 8541-t. S. No. E-4052.)**

On July 17, 1922, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 85 cases of canned tomatoes, remaining in the original unbroken packages at Baltimore, Md., consigned on or about May 31, 1922, alleging that the article had been shipped by the C. M. Scott Packing Co., Delmar, Del., and transported from the State of Delaware into the State of Maryland, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: "Indian Maid Brand Tomatoes \* \* \* Packed by Blue Hen Canning Co. Delmar, Del."

Adulteration of the article was alleged in the libel for the reason that water had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength and had been substituted wholly or in part for the said article, and for the further reason that it had been mixed in a manner whereby damage or inferiority was concealed.

Misbranding was alleged in substance for the reason that the labels of the cans containing the article bore certain statements, to wit, " \* \* \* Tomatoes \* \* \* Contents Weigh 6 Lbs. 7 Oz. \* \* \*," together with the design of a red ripe tomato, which were false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was an imitation of and was offered for sale under the distinctive name of another article, and for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, since the quantity stated was not correct.

On October 4, 1922, Thomas L. North, having entered an appearance as claimant for the property and having admitted the material allegations of the libel, judgment of the court was entered ordering that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a good and sufficient bond, in conformity with section 10 of the act.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11017. Adulteration and misbranding of canned oysters. U. S. v. 32 Cases and 9½ Cases of Oysters. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 16759, 16760. I. S. Nos. 31-v, 33-v. S. Nos. E-4116, E-4117.)**

On August 23, 1922, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 32 cases and 9½ cases, each containing 4 dozen tins, of oysters, remaining in the original unbroken packages, in part at Kingston and in part at Peekskill, N. Y., alleging that the article had been shipped by the Hilton Head Packing Co., Savannah, Ga., February 10 and March 28, 1922, respectively, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: "Hilton Head Brand Oysters Contains 5 Oz. Oyster Meat \* \* \* Packed By Hilton Head Packing Co. Office: Savannah, Ga.;" (stamped on heads of cans) "5 Oz. Oysters."

Adulteration of the article was alleged in the libels for the reason that a substance, to wit, excessive brine, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and had been substituted wholly or in part for oysters, which the said article purported to be.

Misbranding was alleged for the reason that the statements, to wit, " \* \* \* Oysters Contains 5 Oz. Oyster Meat" and "5 Oz. Oysters," appearing on the labels of the cans containing the article, were false and misleading and deceived and misled the purchaser, since the said cans contained less than 5 ounces of the article. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On September 11, 1922, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*



**11018. Adulteration and misbranding of potatoes. U. S. v. 403 Sacks of Potatoes. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 16807. I. S. Nos. 3890-v, 3891-v. S. No. C-3802.)**

On or about September 8, 1922, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 403 sacks of potatoes at Chicago, Ill., alleging that the article had been shipped by the Monmouth County Farmers' Exchange, from Howell, N. J., August 23, 1922, and transported from the State of New Jersey into the State of Illinois, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Triangle Brand U. S. Grade No. One 150 Lbs. Net Packed by the Monmouth County Farmers Exchange, Freehold, N. J."

It was alleged in substance in the libel that the article had been transported in violation of the said act, in that potatoes of lower grade than designated had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and had been substituted in part for Grade No. 1 potatoes, which the said article purported to be.

Misbranding was alleged for the reason that the statement on the sacks containing the article, "U. S. Grade No. One," was false and misleading and deceived and misled the purchaser, since the said product did not meet the requirements of United States Grade No. 1 potatoes.

On September 12, 1922, the Monmouth County Farmers' Exchange, claimant, having admitted the allegations of the libel and consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that the said product be relabeled under the supervision of this department by eliminating the words, "U. S. Grade No. One," from each of the said sacks.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11019. Adulteration of shell eggs. U. S. v. 10 Cases of Eggs. Default decree of condemnation, forfeiture, and destruction. (F & D. No. 16791. I. S. No. 3932-v. S. No. C-3780.)**

On or about August 18, 1922, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 10 cases of eggs at Chicago, Ill., alleging that the article had been shipped by J. A. Silver & Co., Stockport, Iowa, August 10, 1922, and transported from the State of Iowa into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy animal substance, for the further reason that it consisted in part of a decomposed animal substance, and for the further reason that it consisted in part of a putrid animal substance.

On September 20, 1922, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11020. Misbranding of peaches. U. S. v. Combination Orchard Co., a Corporation. Plea of guilty. Fine, \$75. (F. & D. No. 12472. I. S. No. 7590-r.)**

On July 29, 1920, the United States attorney for the Eastern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Combination Orchard Co., a corporation, trading at Winona, Tex., alleging shipment by said company in violation of the Food and Drugs Act, as amended, on or about July 15, 1919, from the State of Texas into the State of Illinois, of a quantity of peaches which were misbranded. The article was labeled in part: "Grown by Combination Orchard Co. Winona, Smith County, Texas. Peaches."

Misbranding of the article was alleged in the information for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On January 31, 1922, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$75.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11021. Adulteration and misbranding of flavor of vanilla and flavor of lemon. U. S. v. 10 Cases of Flavor of Vanilla and 10 Cases of Flavor of Lemon. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14980. I. S. Nos. 2828-t, 1504-t. S. No. C-3074.)**

On June 7, 1921, the United States attorney for the Southern District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 10 cases of flavor of vanilla and 10 cases of flavor of lemon, remaining unsold in the original unbroken packages at Selma, Ala., alleging that the articles had been shipped by the Lexington Wholesale Drug Co., Lexington, Ky., February 14, 1921, and transported from the State of Kentucky into the State of Alabama, and charging adulteration and misbranding in violation of the Food and Drugs Act. The articles were labeled in part: "Contents  $\frac{1}{4}$  Fluid Oz. Star Brand Flavor of Vanilla" (or "Flavor of Lemon") "For Flavoring Ice Cream, Custards, \* \* \* Etc. Put up by Lexington Wholesale Drug Co. \* \* \* Lexington, Ky."

Adulteration of the articles was alleged in substance in the libel for the reason that certain substances, to wit, a dilute alcoholic solution of vanillin and coumarin, in the case of the vanilla, and a dilute alcoholic solution containing a trace of citral, in the case of the lemon, had been mixed and packed with the respective articles so as to reduce and lower and injuriously affect their quality and strength and had been substituted wholly or in part for the said articles. Adulteration was alleged for the further reason that the articles were mixed in a manner whereby damage or inferiority was concealed.

Misbranding was alleged for the reason that the statements on the respective labels, to wit, "Flavor of Vanilla" and "Flavor of Lemon," were false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the articles were imitations of and offered for sale under the distinctive names of other articles.

On May 20, 1922, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11022. Misbranding of cottonseed meal. U. S. v. American Cotton Oil Co., a Corporation. Plea of guilty. Fine, \$50. (F. & D. No. 15459. I. S. No. 9251-t.)**

On April 4, 1922, the United States attorney for the Western District of South Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the American Cotton Oil Co., a corporation, trading at Greenville, S. C., alleging shipment by said company in violation of the Food and Drugs Act, on or about October 29, 1920, from the State of South Carolina into the State of North Carolina, of a quantity of cottonseed meal which was misbranded. The article was labeled in part: "Surety Brand Cotton Seed Meal 100 Lbs. Net Made By Union Seed & Fertilizer Co. From Greenville, S. C. Mill."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained 34.91 per cent of protein, the equivalent of 6.79 per cent of ammonia.

Misbranding of the article was alleged in the information for the reason that the statements, to wit, "Cotton Seed Meal" and "Guarantee Protein Not less than 36.00 per cent Equivalent to Ammonia 7.00 per cent," borne on the tags attached to the sacks containing the article, regarding the said article and the ingredients and substances contained therein, were false and misleading in that the said statements represented that the article consisted wholly of cottonseed meal, to wit, a product which contained not less than 36 per cent of protein, and that it contained not less than 36 per cent of protein, equivalent to 7 per cent of ammonia, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it consisted wholly of cottonseed meal, to wit, a product which contained not less than 36 per cent of protein, and that it contained not less than 36 per cent of protein, equivalent to 7 per cent of ammonia, whereas, in truth and in fact, it did not consist wholly of cottonseed meal, to wit, a product which contained not less than 36 per cent of protein, but did consist of a mixture which contained less than 36 per cent of protein, and did not contain 36 per cent of protein, equivalent to 7 per cent of ammonia, but did contain a less amount, to wit, 34.91 per cent of protein, equivalent to less than 7 per cent of ammonia, to wit, 6.79 per cent of ammonia.



On or about September 21, 1922, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11023. Misbranding of Arthur's emmenagogue pills, Leslie's emmenagogue pills, Thomas' emmenagogue pills, Bick's nerve tonic, Bick's sextone pills, and Arthur's sextone tablets. U. S. v. 3 Boxes of Arthur's Emmenagogue Pills, et al. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 15608. S. No. C-3309.)**

On or about November 26, 1921, the United States attorney for the Southern District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 boxes of Arthur's emmenagogue pills, 4 boxes of Leslie's emmenagogue pills, 4 boxes of Thomas' emmenagogue pills, 4 packages of Bick's nerve tonic, 4 boxes of Bick's sextone pills, and 4 boxes of Arthur's sextone tablets, remaining unsold in the original unbroken packages at Selma, Ala., alleging that the articles had been shipped by the Palestine Drug Co., from St. Louis, Mo. [E. St. Louis, Ill.] June 11, 1920, and transported from the State of Missouri [Illinois] into the State of Alabama, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that the Arthur's emmenagogue pills, the Leslie's emmenagogue pills, and the Thomas' emmenagogue pills contained iron sulphate, aloes, and extract of plant drugs, coated with sugar and calcium carbonate, colored pink; the Bick's nerve tonic consisted of two products—brown tablets containing phosphorus and compounds of zinc and iron, coated with sugar and calcium carbonate, and yellow pellets containing compounds of iron, strychnine, and phosphorus, coated with sugar and calcium carbonate; the Bick's sextone pills consisted of two products—chocolate-coated pills containing a small amount of plant drugs, 50 per cent of sugar, 25 per cent of calcium carbonate, 7 per cent of iron oxid, and 7 per cent of powdered talc, and orange-colored tablets containing 31 per cent of metallic iron, 11 per cent of calcium carbonate, extract of nux vomica, and sugar; the Arthur's sextone tablets contained iron oxid, calcium carbonate, a compound of zinc, and extract of plant drugs, coated with sugar.

Misbranding of the articles was alleged in substance in the libel for the reason that the following statements appearing in the labelings, regarding the curative and therapeutic effect of the respective articles, (Arthur's, Leslie's, and Thomas' emmenagogue pills) (box) " \* \* \* for Amenorrhea, Dysmenorrhea and other Menstrual Troubles \* \* \* beginning treatment \* \* \* before the regular monthly period \* \* \* continue \* \* \* until relief is obtained," (Bick's nerve tonic) (wrapper) " \* \* \* for Nervous Prostration and bodily aches and pains \* \* \* a nerve \* \* \* tonic \* \* \* for all female complaints \* \* \* for Weakness, Nervousness, Headache, Kidney Trouble, and loss of Power in either Sex \* \* \* for female weakness, heart trouble and where a general breakdown of the nervous system exists," (Bick's sextone pills) (box) "Bick's sextone pills \* \* \* Composed of \* \* \* Aphrodisiac Agencies \* \* \*," (Arthur's sextone tablets) (wrapper) " \* \* \* Designed to correct \* \* \* Evil Results Following Sexual or Alcoholic Excesses, Overwork, Worry, Etc. \* \* \* Sextone Tablets For Either Sex Composed of \* \* \* the Most Potent and Dependable Aphrodisiac Agencies \* \* \*," were false and fraudulent since the said articles contained no ingredients or combinations of ingredients capable of producing the effects claimed.

On May 20, 1922, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the products be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11024. Misbranding of Dr. Locock's cough elixir. U. S. v. 3 Dozen Bottles of Dr. Locock's Cough Elixir. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 15616. S. No. C-3317.)**

On or about November 19, 1921, the United States attorney for the Southern District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 dozen bottles of Dr. Locock's cough elixir, remaining unsold in the original unbroken packages at Mobile, Ala., alleging that the article had been shipped by I. L. Lyons & Co., Ltd., New Orleans, La., August

22, 1919, and transported from the State of Louisiana into the State of Alabama, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of extracts of plant drugs including ipecac and squill, small amounts of morphine and acetic acid, sugar, and water.

Misbranding of the article was alleged in substance in the libel for the reason that the labeling of the said article contained statements to the effect that it was recommended as hastening a cure for whooping cough, pains in the breast, asthma, croup, hoarseness, inflammation of the lungs and catarrhal affections, pneumonia, incipient consumption, pains in the joints, bones, and muscles, and difficulty in breathing, which said statements regarding the curative and therapeutic effect of the said article were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed.

On May 20, 1922, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11025. Misbranding of olive oil. U. S. v. 29 Half-gallon Cans and 47 Gallon Cans of Olive Oil. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 15641. I. S. Nos. 13885-t, 13886-t. S. No. W-1034.)**

On November 29, 1921, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 29 half-gallon cans and 47 gallon cans of olive oil, remaining unsold in the original unbroken packages at Denver, Colo., consigned by the Old Monk Olive Oil Co., Chicago, Ill., alleging that the article had been shipped from Chicago, Ill., on or about November 12, 1921, and transported from the State of Illinois into the State of Colorado, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Cans) "France Old Monk Olive Oil Virgin \* \* \* From Nice, France Old Monk Olive Oil Co. New York—Chicago—Nice Net Contents One Half Gallon" (or "One Gallon").

Misbranding of the article was alleged in the libel for the reason that the statement, to wit, "Net Contents One Half Gallon," appearing on each of the said half-gallon cans, and the statement, to wit, "Net Contents One Gallon," appearing on each of the said gallon cans, were false and misleading and deceived and misled the purchaser in that the net contents of the said half-gallon cans was less than one-half gallon and the net contents of each of the said gallon cans was less than one gallon. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the packages.

On January 10, 1922, the Old Monk Olive Oil Co., Chicago, Ill., claimant, having admitted the allegations of the libel and consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$250, in conformity with section 10 of the act.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11026. Adulteration and misbranding of milk chocolate dainties. U. S. v. 204 ½-Pound Boxes of Milk Chocolate Dainties. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 15778. I. S. No. 8139-t. S. No. E-3805.)**

On March 17, 1922, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 204 ½-pound boxes of milk chocolate dainties, remaining in the original unbroken packages at Allentown, Pa., consigned by Brewster Sons Co., Newark, N. J., alleging that the article had been shipped from Newark, N. J., on or about February 11, 1922, and transported from the State of New Jersey into the State of Pennsylvania, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Half



Pound Net Dairy Maid Brand Sweet Milk Chocolate Dainties Made By Brewster Sons Company Newark, N. J."

Adulteration of the article was alleged in the libel for the reason that excessive shells had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength and had been substituted wholly or in part for the said article.

Misbranding was alleged in substance for the reason that the packages in which the article was inclosed bore the following statement, regarding the said article and the ingredients and substances contained therein, to wit, "Sweet Milk Chocolate Dainties," which said statement was false and misleading in that the said packages did not in fact contain sweet milk chocolate dainties.

On October 6, 1922, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11027. Misbranding of cottonseed meal. U. S. v. 250 Sacks of Cottonseed Meal. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 15819. I. S. No. 9373-t. S. No. E-3827.)**

On March 30, 1922, the United States attorney for the Northern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 250 sacks of cottonseed meal, remaining in the original unbroken packages at River Junction, Fla., alleging that the article had been shipped by the Planters Oil Co., Albany, Ga., on or about February 20, 1922, and transported from the State of Georgia into the State of Florida, and charging misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Guaranteed Analysis. Ammonia (Actual and potential) 7.00 per cent (Equivalent to Protein 36.00 per cent) Phosphoric Acid 2.00 per cent Potash ( $K_2O$ ) 1.00 per cent Made from short staple cotton seed only."

It was alleged in substance in the libel that the article was transported in violation of the provisions of the Food and Drugs Act, in that the said sacks were labeled as follows, "100 lbs. Gross. 99 lbs. Net. Second Class Cotton Seed Meal Manufactured By Planters Oil Co. Albany, Georgia. Guaranteed," which said statements were false and misleading in that the said article did not contain the substances hereinbefore set forth as described in the labels, but was deficient in ammonia and contained peanut hulls and excessive quantities of fiber.

On July 10, 1922, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11028. Adulteration of paprika. U. S. v. 49 Bags and 1 Bag of Paprika. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 16121, 16122. I. S. No. 15958-t. S. No. E-3852.)**

On April 24, 1922, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 50 bags of paprika, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by Penalba y Ca., from Orihuela, Spain, and was entered on or about March 14, 1922, having been transported from a foreign country into the State of New York, and charging adulteration in violation of the Food and Drugs Act. The article was described in consular invoice as "Pimenton" and in the custom-house entry as "Ground Red Pepper."

Adulteration of the article was alleged in the libel for the reason that a substance, a fixed oil, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength and had been substituted wholly or in part for the said article.

On May 15, 1922, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11029. Misbranding of canned shrimp. U. S. v. 15 Cases of Shrimp. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 16269. I. S. No. 18663-t. S. No. C-2917.)**

On May 4, 1922, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 15 cases of shrimp at Chicago, Ill., alleging that the article had been shipped by the Brunswick Canning Co., Brunswick, Ga., March 17, 1922, and transported from the State of Georgia into the State of Illinois, and charging misbranding in violation of the Food and Drugs Act, as amended.

Misbranding of the article was alleged in substance in the libel for the reason that the cans containing the said article were labeled, marked, and branded as follows, "Barataria Shrimp Blue Point Brand Packed By The Brunswick Canning Co. Brunswick, Ga. Contents 9½ Oz. Net," which statements were false and misleading and deceived and misled the purchaser in that they represented that the said article was Barataria shrimp and that each of said cans contained 9½ ounces net of the article, whereas, in truth and in fact, the said cans did not contain shrimp from Barataria Bay and did contain less than 9½ ounces net of the said article. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package in terms of weight and measure.

On June 27, 1922, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11030. Adulteration of oranges. U. S. v. 148 Boxes of Oranges. Decree providing for release of a portion of the product. (F. & D. No. 15757. I. S. No. 12820-t. S. No. W-1052.)**

On March 9, 1922, the United States attorney for the District of Utah, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 148 boxes of oranges, remaining in the original unbroken packages at Salt Lake City, Utah, alleging that the article had been shipped by the Ryan Fruit Co., from Highland, Calif., on or about February 13, 1922, and transported from the State of California into the State of Utah, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part or wholly of a decomposed vegetable substance.

On March 29, 1922, the Ryan Fruit Co., a corporation of the State of Washington, having entered an appearance as claimant for the property, and the goods having been previously sorted under the supervision of this department and 105½ boxes thereof having been found suitable for food, it was ordered by the court that the said 105½ boxes of the product be released to the said claimant.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11031. Adulteration and misbranding of claret vinegar. U. S. v. 53 Pint Bottles, et al., of Claret Vinegar. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 15912, 15913, 15914. I. S. Nos. 15508-t, 15514-t, 15516-t. S. No. E-3728.)**

On January 14, 1922, the United States attorney for the Northern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 53 pint bottles, 69 pint bottles, and 1 barrel of claret vinegar, in various lots at Binghamton, Rome, and Herkimer, N. Y., respectively, alleging that the article had been shipped by the Vernon D. Price Co., in part from Scranton and in part from Pittsburgh, Pa., between the dates of October 20 and 29, 1921, and transported from the State of Pennsylvania into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Bottles) "Gold Medal Brand Claret Wine Vinegar \* \* \* 1 Pint;" (barrel) "Vernon D. Price Co. 50 Claret Vinegar Reduced \* \* \* Grains."

Adulteration of the article was alleged in substance in the libels for the reason that excessive water and distilled vinegar, in the case of the product contained in the bottles, and excessive water, in the case of the product contained in the barrel, had been mixed and packed with and substituted in whole



or in part for the said article, and for the further reason that the article was mixed in a manner whereby its damage and inferiority were concealed.

Misbranding of the article was alleged in substance for the reason that the statement, to wit, "Claret Wine Vinegar," appearing on the said bottles, and the statement, to wit, "Claret Vinegar Reduced \* \* \* Grains," appearing on the said barrel, were false and misleading, and for the further reason that it was so labeled for the purpose of deceiving and misleading purchasers into the belief that the said article was genuine claret wine vinegar, or claret vinegar, as the case might be. Misbranding was alleged for the further reason that the article was an imitation of and was offered for sale under the distinctive name of another article.

On May 1, 1922, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11032. Misbranding of oranges. U. S. v. Mutual Orange Distributors, a Corporation. Plea of guilty. Fine, \$50. (F. & D. No. 15998. I. S. Nos. 5738-t, 5739-t.)**

On April 28, 1922, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Mutual Orange Distributors, a corporation, Redlands, Calif., alleging shipment by said company in violation of the Food and Drugs Act, as amended, on or about May 13, 1921, from the State of California into the State of New York, of quantities of oranges which were misbranded. A portion of the article was labeled in part: "St. Michaels Net Count 324 Diam  $2\frac{1}{4}$  In Mutual Sunflower Brand Redlands Mutual Orange Company Redlands, California Mutual Orange Distributors." The remainder of the article was labeled in part: "St. Michaels Net Count 324 Average Diameter  $2\frac{1}{4}$  inches. Orange Blossom Brand Washington Navels Grown and Packed by Redlands Mutual Orange Co. Redlands San Bernardino Co. California."

Examination, by the Bureau of Chemistry of this department, of samples taken from both consignments of the article showed that the average diameter of the oranges in the said consignments was  $1\frac{1}{8}$  inches and 2 inches, respectively, and that the boxes contained more than 324 of the small oranges.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "Net Count 324 Average Diameter  $2\frac{1}{4}$  inches" (or "Diam  $2\frac{1}{4}$  In"), borne on the boxes containing the article, regarding the said article, was false and misleading in that the said statement represented that each of the said boxes contained 324 oranges and that the average diameter of said oranges was  $2\frac{1}{4}$  inches, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of said boxes contained 324 oranges and that the average diameter of said oranges was  $2\frac{1}{4}$  inches, whereas, in truth and in fact, each of said boxes did not contain 324 oranges and said oranges did not average  $2\frac{1}{4}$  inches in diameter. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On June 26, 1922, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11033. Adulteration and misbranding of olive oil. U. S. v. Vincent Carrara. Plea of guilty. Fine, \$50. (F. & D. No. 16213. I. S. No. 6266-t.)**

On May 26, 1922, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Vincent Carrara, New York, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about March 30, 1921, from the State of New York into the State of New Jersey, of a quantity of olive oil which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted chiefly, if not entirely, of cottonseed oil. Examination by said bureau showed that the average volume of 51 cans was 0.8 gallon and that the cans varied in volume from 0.73 to 0.93 gallon.



Adulteration of the article was alleged in the information for the reason that a substance, to wit, cottonseed oil, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength and had been substituted in large part for olive oil, which the said article purported to be.

Misbranding was alleged for the reason that the statements, to wit, "Extra Fine Olive Oil Olio d'Oliiva Purissimo Importato Italia Brand 1 Gallon Net," borne on the cans containing the article, regarding the said article and the ingredients and substances contained therein, were false and misleading in that the said statements represented that the article was olive oil, that it was a foreign product, to wit, olive oil produced in the Kingdom of Italy, and that each of the said cans contained 1 gallon net of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was olive oil, that it was a foreign product, to wit, an olive oil produced in the Kingdom of Italy, and that each of the said cans contained 1 gallon net of the said article, whereas, in truth and in fact, it was not olive oil, but was a mixture composed in large part of cottonseed oil, it was not a foreign product, but was a domestic product, to wit, an article produced in the United States of America, and each of said cans did not contain 1 gallon net of the said article, but did contain a less amount. Misbranding was alleged for the further reason that the article was a mixture composed in large part of cottonseed oil, prepared in imitation of and offered for sale and sold under the distinctive name of another article, to wit, olive oil, for the further reason that it purported to be a foreign product when not so, and for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On September 26, 1922, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$50.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11034. Adulteration and misbranding of minced clams. U. S. v. 4 Dozen Cases of Minced Clams. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 16314. I. S. No. 10964-t. S. No. W-1080.)**

On May 13, 1922, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 4 dozen cases of minced clams, remaining in the original unbroken packages at Portland, Oreg., alleging that the article had been shipped by the Grays Harbor Fisheries & Packing Co., Inc., Aberdeen, Wash., April 14, 1922, and transported from the State of Washington into the State of Oregon, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Can) "Royal Club Brand Minced Clams."

Adulteration of the article was alleged in substance in the libel for the reason that excessive water or clam juice had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength and had been substituted wholly or in part for normal minced clams of good commercial quality.

Misbranding was alleged in substance for the reason that the statement appearing on the label of the can containing the article, to wit, "Minced Clams," was false and misleading and deceived and misled the purchaser.

On June 12, 1922, Grays Harbor Fisheries Co., Inc., Aberdeen, Wash., claimant, having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$250, in conformity with section 10 of the act.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11035. Adulteration and misbranding of cocoa. U. S. v. 76 Cases of Cocoa. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 16390. S. No. E-3894.)**

On June 14, 1922, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 76 cases of cocoa, consigned on or about October 19, 1921, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by the C. H. Jones Co., New York, N. Y., and trans-

ported from the State of New York into the State of Maryland, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Opler Bros. Inc., 696 Greenwich Street, New York City."

Adulteration of the article was alleged in the libel for the reason that substances, excessive shells and sand, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength and had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the article was an imitation of and was offered for sale under the distinctive name of another article.

On August 5, 1922, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11036. Adulteration and misbranding of flour. U. S. v. 620 Sacks of Flour. Decree of condemnation and forfeiture. Product released under bond.** (F. & D. No. 16492. I. S. No. 11212-t. S. No. W-1128.)

On June 28, 1922, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 620 sacks of flour, remaining in the original unbroken packages at Los Angeles, Calif., consigned by the Anthony Mills, Anthony, Kans., alleging that the article had been shipped from Anthony, Kans., on or about June 9, 1922, and transported from the State of Kansas into the State of California, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: "98 Lbs. National Flour The Anthony Mills, Anthony Kansas Branch, Matured, Bleached."

Adulteration of the article was alleged in the libel for the reason that a substance, to wit, water, had been mixed and packed with and substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the statement, "98 Lbs." appearing on the sacks containing the article, was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was [food] in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On July 17, 1922, the Anthony Mills, Anthony, Kans., having entered an appearance as claimant for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$4,500, in conformity with section 10 of the act.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11037. Adulteration of chloroform. U. S. v. 66 Cans of Chloroform. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 16592. I. S. No. 14133-t. S. No. W-1140.)

On July 7, 1922, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 66 cans of chloroform, consigned by Merck & Co., St. Louis, Mo., remaining unsold in the original unbroken packages at Denver, Colo., alleging that the article had been shipped from St. Louis, Mo., on or about May 16, 1922, and transported from the State of Missouri into the State of Colorado, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Poison 1 lb. \* \* \* Chloroform Merck \* \* \* U. S. P. IX."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained small amounts of chlorid and chlorinated decomposition products.

Adulteration of the article was alleged in the libel for the reason that it was sold under and by a name recognized in the United States Pharmacopœia, and differed from the standard of strength, quality, and purity as determined by the test laid down in said Pharmacopœia, official at the time of investigation.

On August 29, 1922, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11038. Adulteration and misbranding of vinegar. U. S. v. 80 Barrels and 15 Barrels of Vinegar. Consent decrees of condemnation and forfeiture. Product released under bond.** (F. & D. Nos. 16601, 16615. I. S. Nos. 3115-t, 3116-t. S. Nos. C-2919, C-2921.)

On July 10, 1922, the United States attorney for the Northern District of Ohio, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 95 barrels of vinegar, remaining in the original unbroken packages at Cleveland, Ohio, alleging that the article had been shipped by the Brocton Products Co., Brocton, N. Y., in part on or about March 28, and in part on or about April 5, 1922, and transported from the State of New York into the State of Ohio, and charging adulteration and misbranding in violation of the Food and Drugs Act. A portion of the article was labeled in part: "Brocton Fruit Products Co. Net Contents 51 Gals Cider Vinegar 40 Grain Brocton N. Y." The remainder of the article was labeled in part: "Pure Cider Vinegar Made From Apples Reduced With Water To 40% Acetic Acid \* \* \* Distributed By National Vinegar Company Buffalo, N. Y."

Adulteration of the article was alleged in the libels for the reason that evaporated apple products vinegar had been mixed and packed with and substituted wholly or in part for the said article.

Misbranding was alleged in substance for the reason that the respective statements, to wit, "Brocton Fruit Products Co. \* \* \* Cider Vinegar" and "Pure Cider Vinegar Made From Apples \* \* \* Distributed By National Vinegar Company \* \* \*," appearing on the barrels containing the article involved in the respective consignments, were false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was an imitation of and offered for sale under the distinctive name of another article.

On August 2, 1922, the Brocton Products Co., Brocton, N. Y., claimant, having consented to the entry of decrees, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product might be released to the said claimant upon payment of the costs of the proceedings and the execution of bonds in the aggregate sum of \$1,200, in conformity with section 10 of the act.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11039. Adulteration of grapefruit. U. S. v. 267 Cases and 276 Cases of Grapefruit. Consent decrees providing for the destruction of the product.** (F. & D. No. 16802. I. S. Nos. 3505-v, 3507-v, 3508-v. S. Nos. E-4161, E-4162.)

On or about August 21, 1922, the United States attorney for the District of Porto Rico, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 543 cases of grapefruit at San Juan, P. R., alleging that the article had been offered for shipment into the State of New York by the Candelaria Packing House, Bayamon, P. R., in part August 1 and in part August 19, 1922, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Grapefruit Blue Bird Brand Candelaria Packing House Bayamon Porto Rico."

Adulteration of the article was alleged in the libels for the reason that a product, to wit, immature grapefruit artificially colored, had been mixed and packed with and had been substituted in whole or in part for the said article. Adulteration was alleged for the further reason that the article was colored in a manner whereby its inferiority was concealed.

On September 5, 1922, George I. Elkins having entered an appearance as claimant for the property and having consented to its destruction but praying for the return of the boxes in which the said product was packed, it was ordered by the court that the United States marshal destroy the product and return the boxes to the said claimant after the removal of the grapefruit.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11040. Misbranding of Brou's injection. U. S. v. 60 Dozen Bottles of Brou's Injection. Consent decree of condemnation and forfeiture. Product released under bond.** (F. & D. No. 10268. I. S. No. 2764-r. S. No. W-349.)

On May 13, 1919, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 60 dozen bottles of an article of drugs labeled in



part, "Brou's Injection \* \* \* E. Fougere & Co., Inc. Importers N. Y.," alleging that the article had been shipped from New York, N. Y., December 5, 1918, and transported from the State of New York into the State of California, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Bottle) "Hygienic and Preservative Brou's Injection," (French) "Against Runnings or discharges (Les Ecoulemens) recent or chronic and Against White Flowers, Leucorrhoea;" (booklet, French) "Blenorrhagia \* \* \* Blenorrhoea \* \* \* Leucorrhoea or white Flowers White losses Their Treatment \* \* \* Blenorrhagia urethral, or gonorrhoea \* \* \* The beginning of Blenorrhagia \* \* \* It is at this moment that one should have recourse to the use of Brou's Injection \* \* \* It is of immense importance to the patient to rid himself as quickly as possible of his discharge \* \* \* If one has waited too long before having recourse to Brou's Injection \* \* \* In cases where one has left the inflammation to show itself it is necessary to wait till it has stopped \* \* \* when the discharge has changed color and becomes yellow it is necessary to begin the treatment by the injection. \* \* \* Thus employed Brou's Injection will always give good results. The treatment by injection constitutes the treatment par excellence of blenorrhoea \* \* \* Far from producing strictures injections prevent them by curing their usual causes that is to say prolonged inflammation of the mucous membranes and its extension to underlying tissues \* \* \* These injections act on the mucous membrane \* \* \* and facilitates its return to a state of health. Brou's Injection is not solely tonic and astringent but also isolating, which explains its success in the treatment of blenorrhoea. It coats the canal with a medicament which keeps the walls isolated. Leucorrhoea, white flowers, white Losses \* \* \* The treatment consists of Injection Brou \* \* \* This treatment \* \* \* will not be long in bringing a complete cure \* \* \* Injection Brou is hygienic and preservative \* \* \* It is preservative (preventive) because by taking an injection after an impure contact \* \* \*," (English, French, Italian, German, Spanish, Portuguese, and other languages) "Brou's Injection Hygienic and Preservative For the cure all recent and chronic discharges of the urinary organs. (Gonorrhoea, Leucorrhoea, and Gleet.) Brou's Injection will always be more successful, if it be used immediately after the first appearance of the disease. \* \* \* Brou's Injection used as preservative \* \* \* use the injection."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of sulphates and acetates of lead and zinc, opium alkaloids, alcohol, and water.

Misbranding of the article was alleged in substance in the libel for the reason that certain statements appearing on the bottles and in the booklets, as aforesaid, and in an accompanying circular, regarding the curative and therapeutic effects thereof, were false and fraudulent in that the said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On October 11, 1919, E. Fougere & Co., New York, N. Y., claimant, having consented to a decree, an order was entered by the court adjudging the product to be misbranded, and it was further ordered that the said product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$300, in conformity with section 10 of the act.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11041. Misbranding of Dr. Burkhardt's vegetable compound. U. S. v. 6 Dozen, et al., Packages of Dr. Burkhardt's [Burkhardt's] Vegetable Compound. Default decree of condemnation, forfeiture, and destruction.** (F. & D. Nos. 13046, 13047. I. S. Nos. 10352-t, 10353-t. S. Nos. W-625, W-626.)

On July 14, 1920, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 6 dozen packages, 25-cent size, 6½ dozen packages, 50-cent size, and 32 packages, \$1 size, of Dr. Burkhardt's [Burkhardt's] Vegetable Compound, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by W. S. Burkhardt [Burkhardt], Cincinnati, Ohio, in various consignments on April 14, May 1, and May 12, 1920, respectively, and transported from the State of Ohio into the State of California, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills consisted essentially of aloes, capsicum, and podophyllum.

Misbranding of the article was alleged in substance in the libel for the reason that it was labeled in part on the cartons as follows, (25-cent and 50-cent sizes) " \* \* \* Recommended for Kidney and Liver Disease, Fever and Ague, Rheumatism, Sick and Nervous Headache, Erysipelas, Scrofula, Female Complaints, Catarrh, Indigestion, Neuralgia, Nervous Affection, Dyspepsia, \* \* \* and all Syphilitic Diseases \* \* \*," (\$1 size) " \* \* \* Recommended for Blood Diseases, such as Rheumatism, Kidney and Liver Diseases, Fever and Ague, Sick and Nervous Headache, Erysipelas, Scrofula, Female Complaints, Catarrh, \* \* \* Indigestion, Neuralgia, Nervous Affection, Dyspepsia \* \* \*," which said statements were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed.

On May 9, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11042. Adulteration of shell eggs. U. S. v. Joe Milton Arnold and Richard Wesley Newman (Arnold & Newman). Pleas of guilty. Fine, \$50 and costs. (F. & D. No. 15593. I. S. No. 3358-t.)**

On April 3, 1922, the United States attorney for the Northern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Joe Milton Arnold and Richard Wesley Newman, co-partners, trading under the firm name of Arnold & Newman, Baldwyn, Miss., alleging shipment by said defendants in violation of the Food and Drugs Act, on or about September 27, 1921, from the State of Mississippi into the State of Alabama, of a quantity of shell eggs which were adulterated.

Examination, by the Bureau of Chemistry of this department, of 30 eggs from the consignment showed that 23, or 6.4 per cent of those examined, were inedible eggs, consisting of black rots, mixed or white rots, spot rots, and heavy blood rings.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid animal substance.

On October 2, 1922, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$50 and costs.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11043. Adulteration of shell eggs. U. S. v. John Roper and Jesse W. Jones (Roper & Jones). Pleas of guilty. Fine, \$50 and costs. (F. & D. No. 15594. I. S. No. 1496-t.)**

On April 3, 1922, the United States attorney for the Northern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against John Roper and Jesse W. Jones, trading as Roper & Jones, Saltillo, Miss., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about September 20, 1921, from the State of Mississippi into the State of Alabama, of a quantity of shell eggs which were adulterated. The article was labeled in part: " \* \* \* Roper & Jones, General Merchandise, Saltillo, Mississippi."

Examination by the Bureau of Chemistry of this department of 540 eggs from the consignment showed the presence of 53 inedible eggs, or 9.8 per cent of those examined, which consisted of black rots, mixed or white rots, spot rots, and heavy blood rings.

Adulteration of the article was alleged in the information for the reason that it consisted in part of a filthy, decomposed, and putrid animal substance.

On October 2, 1922, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$50 and costs.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11044. Misbranding of olive oil. U. S. v. 42 Cans, et al., of Olive Oil. Consent decrees of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 16367, 16368. I. S. Nos. 15610-t, 15611-t, 15612-t, 15619-t, 15620-t. S. Nos. E-3810, E-3818.)**

On May 5 and 10, 1922, respectively, the United States attorney for the District of New Jersey, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 42 7½-pound cans, 22 3¼-pound cans, 144 ¼-gallon cans, 15 gallon cans, and 20 ½-gallon cans of olive oil, in part at Newark and in part at



Elizabeth, N. J., alleging that the article had been shipped by the Bay Bee Oil Co., New York, N. Y., between the dates of October 5, 1921, and March 18, 1922, and transported from the State of New York into the State of New Jersey, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Cans) "Extra Sublime Pure Imported Olive Oil Blue Star Brand \* \* \* Bay Bee Oil Company Importers & Packers Lucca, Italy. New York U. S. A. \* \* \* 7½ Lbs. Net or 0.98 of One Gallon" (or "3¼ Lbs. Net or 0.98 of Half Gallon," "Quarter Gallon," "One Gallon," or "Half Gallon").

Misbranding of the article was alleged in substance in the libels for the reason that the statements borne respectively on the said cans regarding the net quantity of the article contained therein, to wit, "7½ Lbs. Net or 0.98 of One Gallon," "3¼ Lbs. Net or 0.98 of Half Gallon," "Quarter Gallon," "One Gallon," and "Half Gallon," as the case might be, were false and misleading, since the said cans did not contain the amount of the article declared on the said labels but did contain a less quantity, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that the said cans contained the net quantity of the article as labeled thereon, whereas, in truth and in fact, the said cans contained a less amount. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, since the net quantity stated on the labels of the respective-sized cans was more than the actual contents of the said packages.

On June 23, 1922, the Bay Bee Oil Co., New York, N. Y., claimant, having consented to the entry of decrees, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of bonds in the aggregate sum of \$1,000, in conformity with section 10 of the act, conditioned in part that the said product be relabeled to the satisfaction of this department.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11045. Adulteration of chloroform. U. S. v. 32 Tins, et al., of Chloroform. Default decrees of condemnation, forfeiture, and destruction.** (F. & D. Nos. 16202, 16509, 16510, 16511, 16512. S. Nos. E-3972, E-4001, E-4002, E-4012, E-4031.)

On June 26, June 30, and July 6, 1922, respectively, the United States attorney for the District of Massachusetts, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels of information for the seizure and condemnation of 142 ¼-pound tins of chloroform, in various lots at Malden, Gloucester, Fall River, Haverhill, and New Bedford, Mass., respectively, alleging that the article had been shipped from New York, N. Y., between the dates of April 18 and June 1, 1922, and transported from the State of New York into the State of Massachusetts, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Chloroform for Anaesthesia."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it was turbid, that it contained hydrochloric acid, impurities decomposable by sulphuric acid, and chlorinated decomposition products, and that upon evaporation it left a foreign odor.

Adulteration of the article was alleged in substance in the libels for the reason that it was sold under and by a name recognized in the United States Pharmacopœia, and differed from the standard of strength, quality, and purity as determined by the test laid down in said Pharmacopœia, official at the time of investigation, and the standard of strength, quality, and purity of the said article was not declared on the containers thereof.

On September 5, 1922, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11046. Adulteration of raisins. U. S. v. 900 Boxes of Raisins. Default decrees of condemnation, forfeiture, and destruction.** (F. & D. No. 16519.)

On July 7, 1922, the United States attorney for the District of Wyoming filed in the District Court of the United States for said district a libel for the seizure and condemnation of 900 boxes of raisins, at Rock Springs, Wyo., alleging that the article had been shipped and transported on or about December 1,

1921, from the State of California into the State of Wyoming, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it was composed in whole of a filthy, decomposed, and putrid vegetable matter.

On July 28, 1922, no claimant having appeared for the product, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11047. Adulteration and misbranding of flour. U. S. v. 800 Sacks of Flour. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 16584. I. S. No. 14182-t. S. No. W-1137.)**

On July 3, 1922, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel, and on July 13, 1922, an amendment to the said libel, praying the seizure and condemnation of 800 sacks of flour, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by the Plains Montana Mills, Plains, Mont., on or about June 16, 1922, and transported from the State of Montana into the State of California, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended.

Examination of the article by the Bureau of Chemistry of this department showed that the sacks contained a less amount of the said article than that declared on the labels thereof.

Adulteration of the article was alleged in the libel, as amended, for the reason that bleached flour had been substituted for the said article.

Misbranding was alleged in substance for the reason that the statements borne on the sacks containing the article, to wit, "Plains Montana Mills Hard Wheat Royal Crown Patent Flour Plains, Mont. 98 Lbs. Net When Packed," were false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On July 13, 1922, Geo. P. Shiel, having entered an appearance as claimant for the property and having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$3,200, in conformity with section 10 of the act.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11048. Adulteration and misbranding of oil. U. S. v. 261½ Cartons of Oil. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 16670. I. S. No. 7114-t. S. No. E-4071.)**

On July 27, 1922, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 261½ cartons of oil at New York, N. Y., alleging that the article had been shipped by the Capitol Refining Co., Rosslyn, Va., on or about June 23, 1922, and transported from the State of Virginia into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Cans) "High Grade Oil Medaglia D'Oro Brand \* \* \* Vegetable Salad Oil More Practical Than Olive Oil A Compound Contents 1 Gallon \* \* \* Packed by B. Mayer, New York."

It was alleged in substance in the libel that the article had been transported in violation of the said act in that an oil or oils other than olive oil had been mixed and packed with and substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the statements appearing on the said cans, to wit, "High Grade Oil Medaglia D'Oro Brand Re d'Italia" and "Contents 1 Gallon," together with the designs of a medal apparently of foreign origin, an Italian soldier in foreground on horseback, and a conventional design of olive branches with background showing Italian scene, were false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was an imitation of and was offered for sale under the distinctive name of another article, for the further



reason that it purported to be a foreign product when not so, and for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On September 22, 1922, Benjamin Mayer, New York, N. Y., claimant, having admitted the material allegations of the libel and consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$750, in conformity with section 10 of the act, conditioned in part that it be relabeled under the supervision of this department, in part, as follows: "Corn Oil (Made in America) Contents: 3 qts., 1 pt., 12 ozs. Distributed by B. Mayer New York."

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11049. Misbranding of Eckman's alternative. U. S. v. 150 Dozen and 120 Dozen Bottles of Eckman's Alternative. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 16733. S. No. C-3761.)**

On August 9, 1922, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 150 dozen large-sized bottles and 120 dozen small-sized bottles of Eckman's alternative, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by the Burrows-Little-White Co., Philadelphia, Pa., April 14, 1922, and transported from the State of Pennsylvania into the State of Illinois, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of 3.3 per cent of calcium chlorid, 2.3 per cent of plant extracts, and 94.4 per cent of water, flavored with clove oil.

Misbranding of the article was alleged in substance in the libel for the reason that the following statements appearing in the label of each of the bottles containing the said article, regarding its curative or therapeutic effect, to wit, "Eckman's Alternative For use in the following Throat and Lung Affections. Bronchial Asthma, Catarrhal Bronchitis and Pulmonary Troubles Stubborn Coughs and Colds," were false and fraudulent in that the said statements were applied to the article so as to represent falsely and fraudulently to purchasers thereof and create in the minds of such purchasers the impression and belief that it was effective as a remedy for bronchial asthma, catarrhal bronchitis and pulmonary troubles, and stubborn coughs and colds, whereas, in truth and in fact, it contained no ingredients or combination of ingredients capable of producing the effects claimed.

On October 4, 1922, the Burrows-Little-White Co., Philadelphia, Pa., claimant, having admitted the allegations of the libel and consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that it be relabeled under the supervision and to the satisfaction of this department.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11050. Misbranding of Krause's phosphorets. U. S. v. 1 Dozen Packages of Krause's Phosphorets. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13731. I. S. No. 10371-t. S. No. W-757.)**

On September 27, 1920, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1 dozen packages of Krause's phosphorets, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by the McCullough Drug Co., Lawrenceburg, Ind., in part June 26, 1919, and in part August 28, 1919, and transported from the State of Indiana into the State of California, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills contained iron carbonate, asafetida, and a trace of phosphorus, coated with sugar, calcium carbonate, and talc, colored yellow.

Misbranding of the article was alleged in substance in the libel for the reason that the carton containing the said article and the accompanying circular bore the following statements, (carton) "Nervous Debility \* \* \* Neurasthenia \* \* \* Exhausted Nerve Force," (circular) "\* \* \* will cure all diseases arising from a shattered condition of the nervous system, or the exhaustion of the vital energies of the brain from overwork, worry, dissipation, excesses or overindulgence of any kind \* \* \* successful in the treatment of nervous debility, dizziness, despondency, paralysis, neurasthenia, \* \* \* ringing noises in the head, lack of energy or ambition, \* \* \* muscular weakness, shortness of breath \* \* \* pain in the back, loss of memory, indecision, sciatica, early decay, rheumatism, hysteria, wasting diseases, \* \* \* restore the blood to its normal condition, throw off the impurities and overcome diseases infesting the system. \* \* \* For Men \* \* \* They will \* \* \* cure \* \* \* spermatorrhea \* \* \* drains of the prostatic fluid \* \* \*," which said statements were false and fraudulent in that the said article contained no ingredient or combination of ingredients capable of producing the curative or therapeutic effects claimed.

On May 9, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*





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# United States Department of Agriculture.

## SERVICE AND REGULATORY ANNOUNCEMENTS.

### BUREAU OF CHEMISTRY.

### SUPPLEMENT.

N. J. 11051-11100.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., February 2, 1923.]

### NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

**11051. Adulteration and misbranding of feed. U. S. v. Milam-Morgan Co., Ltd., a Corporation. Plea of guilty. Fine, \$100. (F. & D. No. 14366. I. S. Nos. 126-r, 127-r, 615-r, 16586-r.)**

On June 16, 1921, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Milam-Morgan Co., Ltd., a corporation, New Orleans, La., alleging shipment by said company in violation of the Food and Drugs Act, on or about January 2, February 3, and February 20, 1920, from the State of Louisiana into the State of Georgia, of quantities of horse and mule feed, a portion of which was misbranded and the remainder of which was adulterated and misbranded. A portion of the article was labeled in part: "Perfecto Horse And Mule Feed Manufactured By Milam-Morgan Co., Ltd. New Orleans." The remainder of the article was labeled in part: "Suwanee Horse And Mule Feed Manufactured By Milam-Morgan Co., Ltd. New Orleans, La."

Analyses, by the Bureau of Chemistry of this department, of samples of the article from each consignment showed that it contained less than 9 per cent of protein and, with the exception of one consignment of the Perfecto brand, more than 15 per cent of crude fiber. Two of the consignments of the Perfecto brand contained corn, oats, alfalfa, rice bran, with a possible excess of rice hulls, a little oat feed, delinted cottonseed hulls, possibly a trace of cottonseed meal, and peanut hulls. The remaining consignment of Perfecto brand contained alfalfa, corn, oats, rice bran, with a considerable amount of rice hulls, oat tissues, apparently from oat feed, and a small amount of cottonseed hulls; no cottonseed meal was found. The consignment of the Suwanee brand contained corn, oats, oat hulls, and oat starch, probably from oat feed, a little alfalfa, a trace of cottonseed meal, and rice bran, with hulls in excess of the amount which would normally be present in the rice bran used, and peanut hulls.

Adulteration of the article was alleged in the information for the reason that substances, to wit, peanut hulls, with respect to a portion of the Perfecto brand, and peanut hulls and rice hulls, with respect to the Suwanee brand, had been substituted in part for horse and mule feed containing alfalfa, cottonseed meal, oat feed (oat hulls, oat middlings, oat shorts), cane molasses, oats, rice bran, salt, and corn, which the said article purported to be.

Misbranding was alleged for the reason that the following statements, to wit, "Guaranteed Analysis. \* \* \* Protein 9.00%," with respect to one consignment of the Perfecto brand, and the statements, to wit, "Guaranteed Analysis. \* \* \* Protein 9.00% \* \* \* Fibre 15.00%," with respect to the remainder



of the Perfecto brand and the Suwanee brand, together with the statements, to wit, "Containing Alfalfa, Cottonseed Meal, Oat Feed (Oat Hulls, Oat Middlings, Oat Shorts), Cane Molasses, Oats, Rice Bran, Salt, Corn," with respect to a portion of the Perfecto brand, and the statements, to wit, "Containing Alfalfa, Corn, Oats, Rice Bran, Oat Feed, (Oat Hulls, Oat Middlings, Oat Shorts), Cottonseed Meal, Molasses, Salt," with respect to the remainder of the Perfecto brand, and the statement, to wit, "Containing Corn, Oats, Alfalfa, Cottonseed Meal, Oat Feed, (Oat Hulls, Oat Middlings, Oat Shorts), Rice Bran, Molasses, Salt," with respect to the said Suwanee brand, borne on the tags attached to the sacks containing the article, regarding the said article and the ingredients and substances contained therein, were false and misleading in that the said statements represented that the article contained not less than 9 per cent of protein, that, with the exception of one consignment, it contained not more than 15 per cent of fiber, and that it was composed of the ingredients named on the said labels, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 9 per cent of protein, that, with the exception of one consignment, it contained not more than 15 per cent of fiber, and that it was composed of the ingredients named on the said labels, whereas, in truth and in fact, it contained less than 9 per cent of protein, it contained more than 15 per cent of fiber, with the exception of one consignment, and it was not composed of the ingredients named on the said labels, but a portion of the said article was composed in part of peanut hulls, a portion of the said article was composed of peanut hulls and rice hulls, and a portion of the article contained no cottonseed meal.

On December 5, 1921, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11052. Misbranding of Edgerton's salt brick. U. S. v. 2,550 Packages of Edgerton's Salt Brick. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14866. I. S. No. 3978-t. S. No. C-2886.)**

On May 21, 1921, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 2,550 packages of Edgerton's salt brick, remaining unsold in the original unbroken packages at Kansas City, Mo., alleging that the article had been shipped by the Edgerton Salt Brick Co., Goldsboro, N. C., on or about August 31, 1918, and transported from the State of North Carolina into the State of Missouri, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted largely of sodium chlorid, with smaller amounts of calcium sulphate, iron sulphate, magnesia, sulphur, nux vomica, and a trace of a nitrate.

Misbranding of the article was alleged in substance in the libel for the reason that the statement appearing on the package containing the said article, to wit, "Prevents Hog Cholera," regarding the curative and therapeutic effects of the said article, was false and fraudulent in that it contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed.

On June 30, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11053. Adulteration and misbranding of dairy feed. U. S. v. Nutriline Milling Co., Ltd., a Corporation. Plea of guilty. Fine, \$250 and costs. (F. & D. No. 15258. I. S. No. 12780-t.)**

On September 26, 1921, the United States attorney for the Western District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Nutriline Milling Co., Ltd., a corporation, Crowley, La., alleging shipment by said company in violation of the Food and Drugs Act, on or about November 5, 1920, from the State of Louisiana into the State of Texas, of a quantity of

dairy feed which was adulterated and misbranded. The article was labeled in part: "100 Pounds (Net) Special Steam Cooked 'Momylk' Dairy Feed \* \* \* Manufactured By Nutriline Milling Company Crowley, La."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained 10.09 per cent of protein. Examination by said bureau showed that the article contained alfalfa, rice bran, a little cottonseed meal, and some coarsely-ground peanut shells.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, peanut shells, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted wholly or in part for the said article.

Misbranding was alleged in substance for the reason that the statements, to wit, " \* \* \* Composed of Rice Bran, Ordinary Cottonseed Meal, Alfalfa Meal 30%, Molasses, and Salt  $\frac{1}{2}$ % \* \* \* Guaranteed Analysis: Crude Protein not less than 12.00 Per Cent \* \* \*," borne on the sacks containing the article, regarding the said article and the substances and ingredients contained therein, were false and misleading in that it was not composed wholly of rice bran, ordinary cottonseed meal, alfalfa meal, molasses, and salt, but contained added peanut shells, and it did not contain 12 per cent of protein, but contained a less amount, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was composed of rice bran, ordinary cottonseed meal, alfalfa meal, molasses, and salt, and that it contained 12 per cent of protein, whereas, in truth and in fact, it contained less than 12 per cent of protein and contained added peanut shells.

On February 3, 1922, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$250 and costs.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11054. Misbranding of pears. U. S. v. 576 Boxes of Pears. Consent decree of condemnation and forfeiture. Product released under bond.** (F. & D. No. 15348. I. S. No. 5988-t. S. No. E-3563.)

On August 25, 1921, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 576 boxes of pears, remaining unsold in the original unbroken packages at Buffalo, N. Y., alleging that the article had been shipped by Cohen, Mann & Kahn, Palmdale, Calif., August 11, 1921, and transported from the State of California into the State of New York, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: "Liberty Brand \* \* \* Bartlett Pears \* \* \* Grown at Little Rock California Cohen, Mann & Kahn \* \* \* Chicago \* \* \*." A portion of the said boxes bore the statement, "Net Contents not less than 45 Lbs."

Examination of the article by the Bureau of Chemistry of this department showed that a portion of the said boxes bore no statement as to the net contents and that the remainder contained less than the amount declared on the labeling.

Misbranding of the article was alleged in the libel for the reason that the following statement appearing on the boxes containing the said article, to wit, "Net Contents not less than 45 Lbs.," was false and misleading, and for the further reason that the article was [food] in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On August 30, 1921, Cohen, Mann & Kahn, Chicago, Ill., claimants, having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimants upon payment of the costs of the proceedings and the execution of a bond in the sum of \$2,000, in conformity with section 10 of the act.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11055. Adulteration of oranges. U. S. v. 396 Boxes and 341 Boxes of Oranges. Consent decrees of condemnation and forfeiture. Product released under bond.** (F. & D. Nos. 15826, 16094. I. S. Nos. 1804-t, 1807-t, 1808-t. S. Nos. C-3468, C-3506.)

On March 14 and April 1, 1922, respectively, the United States attorney for the Western District of Missouri, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels



for the seizure and condemnation of 737 boxes of oranges, remaining unsold in the original unbroken packages at Kansas City, Mo., alleging that the article had been shipped by the American Fruit Growers, Inc., from Riverside, Calif., in part on or about February 28 and in part on or about March 22, 1922, and transported from the State of California into the State of Missouri, and charging adulteration in violation of the Food and Drugs Act. The article was labeled variously in part: "Washington Navel Mustang Oranges American Fruit Growers, Inc., T. H. Peppers Co. Division California;" "Homosasis Aurora American Fruit Growers Asso., Los Angeles, Calif. A. F. G.;" "Orange Queen American Fruit Growers Asso. Los Angeles, Calif."

Adulteration of the article was alleged in the libels for the reason that it consisted in whole or in part of a decomposed vegetable substance.

On March 22 and April 12, 1922, respectively, the American Fruit Growers, Inc., claimant, having admitted the allegations of the libels and consented to the entry of decrees of condemnation and forfeiture, judgments of the court were entered ordering that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of bonds in the aggregate sum of \$4,000, in conformity with section 10 of the act, conditioned in part that the said product be salvaged under the supervision of this department, the bad portion destroyed and the good portion delivered to the said claimant without condition.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11056. Adulteration of oranges. U. S. v. 462 Boxes of Oranges. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 16050. I. S. No. 1797-t. S. No. C-3423.)**

On February 2, 1922, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 462 boxes of oranges, remaining unsold in the original unbroken packages at Kansas City, Mo., alleging that the article had been shipped by the San Antonio Orchard Co., Ontario, Calif., on or about January 24, 1922, and transported from the State of California into the State of Missouri, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "San Antonio Brand Packed by San Antonio Orchard Company, Ontario, Calif. Wash Navels."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a decomposed vegetable substance.

On February 14, 1922, the J. L. Taylor Co., claimant, having admitted the allegations of the libel and consented to the entry of a decree for the condemnation and forfeiture of the property, judgment of the court was entered ordering that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$2,000, in conformity with section 10 of the act, conditioned in part that it be salvaged under the supervision of this department, the bad portion destroyed and the good portion delivered to the claimant without condition.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11057. Adulteration of raisins. U. S. v. 690 Bags of Raisins. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 16053. S. No. E-3785.)**

On February 18, 1922, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 690 56-pound bags of raisins, remaining unsold in the original unbroken bags at New York, N. Y., alleging that the article had been shipped from Denia, Spain, and transported from a foreign country into the State of New York, entering December 31, 1920, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted wholly or in part of a filthy, decomposed, and putrid vegetable substance.

On September 11, 1922, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*



**11058. Misbranding of Giles' germicide. U. S. v. 27 Small Bottles, et al, of Giles' Germicide. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 16124, 16125. S. Nos. C-3522, C-3523.)**

On April 24, 1922, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 65 small bottles and 29 large bottles of Giles' germicide, remaining unsold in the original unbroken packages at Kansas City, Mo., alleging that the article had been shipped by the Giles Remedy Co., Chicago, Ill., in various consignments, on or about December 12, 1921, January 11, March 20, and March 27, 1922, and transported from the State of Illinois into the State of Missouri, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Bottle) "Germicide \* \* \* Germicide Antiseptic, Tonic and Blood Purifier;" (carton) "Germicide \* \* \* A \* \* \* Remedy \* \* \* for Ailments caused by disease producing germs within and without the body Neutralizes and Expels from the Blood The toxins of germs and other poisons or impurities, Allays internal or external congestion or inflammation. \* \* \* This Remedy is \* \* \* germicide, antiseptic \* \* \* it acts upon disease germs, \* \* \* chronic diseases. \* \* \* as well as the acute germ diseases, are relieved by Giles' Germicide because it acts to overcome Germ Poison and remove them from the system. Relieves the Cause of Rheumatism, Asthma, Catarrh, Throat Troubles, Blood and Skin Diseases and Affections Disease of the Stomach and Bowels and Ailments of an Inflammatory Nature, Either Internal or External;" (booklet) "Giles' Germicide \* \* \* removes the known cause of nearly all diseases \* \* \* A Real Relief for Disease \* \* \* Stomach and Intestinal Troubles \* \* \* Consumption, Asthma, Pneumonia, La Grippe, etc. \* \* \* Blood and Skin Diseases \* \* \* Internally it is used for all diseases, acute or chronic \* \* \* Piles \* \* \* Pleurisy \* \* \* Diphtheria \* \* \* Croup \* \* \* Measles, Scarlet Fever, Chicken Pox \* \* \* Small Pox \* \* \* Chills, Fever and Ague, Malaria \* \* \* Appendicitis or Stoppage of the Bowels \* \* \* Dysentery \* \* \* Diseases of the Throat and Lungs \* \* \* Dyspepsia, Indigestion, Catarrh of the Stomach \* \* \* Rheumatism, Gout, Lumbago and Paralysis \* \* \* sexual weakness \* \* \* Scrofula, Erysipelas, Eczema, Syphilitic Affections, and \* \* \* Sores or Skin Eruptions. \* \* \* Female Troubles \* \* \* to regulate menstrual disorders."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of camphor, ether, and linseed oil, and was not an antiseptic or a germicide.

Misbranding of the article was alleged in substance in the libels for the reason that the above-quoted statements appearing in the labels of the bottles and cartons containing the said article and in the accompanying booklet were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed for it in the said statements.

On June 19, 1922, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11059. Misbranding of McGraw's herbs of youth, McGraw's improved liquid herbs, and McGraw's oil of life. U. S. v. 12 Packages of McGraw's Herbs of Youth, et al. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 16321, 16322. S. Nos. C-3629, C-3630.)**

On May 16, 1922, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 12 packages of McGraw's herbs of youth, 12 bottles of McGraw's improved liquid herbs, and 23 6-ounce bottles and 45 3-ounce bottles of McGraw's oil of life, remaining in the original unbroken packages at Kansas City, Mo., alleging that the article had been shipped by the McGraw Remedy Co., Little Rock, Ark., on or about February 2, 1922 [in part February 23, 1922], and transported from the State of Arkansas into the State of Missouri, and charging misbranding in violation of the Food and Drugs Act, as amended. The articles were labeled in part: (McGraw's herbs of youth) (carton) "The Great Blood, Liver, Stomach \* \* \* Kidney \* \* \* and Nerve Remedy The

most reliable Blood Purifier, Stomach Renewer and Strength Restorer ever prepared. A valuable remedy for all forms of Nerve Diseases. \* \* \* brings the overwrought and tired nerves back to their natural Tone and Vigor. A weak or diseased stomach will become strong and well by its use, \* \* \* will relieve Blood Disorders, Stomach Troubles, Sick Headache, Malaria, Indigestion, Dyspepsia \* \* \* Kidney Trouble, Rheumatism, Catarrh, Skin Diseases, Scrofula, Neuralgia and Nerve Troubles. Prompt Relief for Female Weakness and Irregularities \* \* \* Piles \* \* \* Female Diseases \* \* \* Blood Poisoning, La Grippe and Impurities of the Blood, prevents Headaches, Chills, Fever, Etc.," (box) "A Remedy for \* \* \* Impurities of the Blood and Disordered Liver, Stomach or Kidneys," (circular) "Herbs of Youth will break your chills \* \* \* Every irregularity, unnaturalness, inflammations, ulcerations and weaknesses can be completely relieved and the system fully restored to a normal condition. \* \* \* the Great Remedy \* \* \* McGraw's Herbs of Youth \* \* \* they are guaranteed to give satisfaction. \* \* \* If you have Dyspepsia or Stomach Trouble get rid of them by taking \* \* \* McGraw's Herbs of Youth, a Great Blood Purifier. Kidney or Bladder Troubles, \* \* \* relieve hitherto incurable ailments \* \* \*," (McGraw's liquid herbs) (carton) "Relief for Stomach, Liver and Kidney Diseases \* \* \* for diseases arising from a debilitated condition of the system, or impure blood, such as Erysipelas, Scrofula, and Scrofulous Affections, Salt Rheum, Teeter, Pimples, Blotches, Boils, Old Sores, Mercurial Diseases And Rheumatism. \* \* \* Remedy For The Blood \* \* \* In \* \* \* Dropsy \* \* \* Ague, Etc., \* \* \* Scrofula and Eruptions \* \* \* as a blood cleanser, \* \* \* in case of pain in Kidneys and back. \* \* \* wonderful power in restoring and invigorating the whole system, in renovating and enriching the blood, in giving an appetite and a tone to the stomach. Recommended for Scrofula, Scrofulous Humors, Rheumatism, Ring Worms, Salt Rheum, Boils, Pimples and Humors on the Face, Catarrh \* \* \* Faintness at the Stomach, \* \* \* Pains in the Back, Female Weakness, General Debility \* \* \* and diseases arising from an impure state or low condition of the blood. \* \* \* It effectually aids weak, impaired and debilitated organs, invigorates the nervous system, tones and strengthens the digestive organs and imparts new life and energy to all the functions of the body. \* \* \* Strengthens and Builds up the system while it Eradicates Disease. \* \* \* effectual and permanent relief in \* \* \* Disorders of the Stomach, Liver, Kidneys and Bladder and for Gravel," (circular) "Improved Liquid Herbs for Stomach Trouble \* \* \* a permanent relief of disorders of Stomach, Liver and Kidneys, \* \* \* Catarrh, Indigestion, Dyspepsia, \* \* \* Kidney and Bladder Troubles, Rheumatism, Piles, Scrofula and so-called Blood Diseases. \* \* \* Take McGraw's Liquid Herbs and get well. \* \* \* Dyspepsia or Stomach Trouble get rid of them by taking McGraw's Liquid Herbs \* \* \* Kidney or Bladder Troubles;" (McGraw's oil of life) (bottle) "for old sloughing ulcers, white swelling, crushed and mangled limbs, it is of peculiar value. \* \* \* For \* \* \* headache \* \* \* for colic or pain in the stomach or bowels, \* \* \* coughs, colds, and sore throat, \* \* \* for asthma, \* \* \* a valuable remedy for Hemorrhoids or Piles; \* \* \* For rheumatism, Kidney & Bladder Diseases," (carton) "Rheumatism \* \* \* Neuralgia Headache Earache Deafness \* \* \* Burns Scalds Sore Throat Quinsy Croup Cramps Colic Diphtheria \* \* \* Ulcers Bites by Dogs and Other Animals Cholera Morbus Stomach and Bowel Troubles \* \* \* Sore and Bleeding Gums \* \* \* Coughs and Throat Irritation \* \* \* coughs and colds \* \* \* Many a case of consumption has been contracted through a person attempting to let a cough or cold 'wear off.' \* \* \* coughs and colds may only be completely eradicated, and their recurrence prevented by a treatment that is both local and constitutional. \* \* \* Kidney Trouble \* \* \* a valuable remedy for Hemorrhoids or Piles; \* \* \* for old sloughing ulcers, white swelling, crushed and mangled limbs, it is of peculiar value. \* \* \* For \* \* \* headache, \* \* \* for colic or pain in the stomach or bowels, \* \* \* coughs, colds, and sore throat, \* \* \* for asthma," (circular) "McGraw's Oil Of Life \* \* \* The Great Pain Reliever for \* \* \* Kidney Diseases, Gravel and Rheumatism."

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that the herbs of youth consisted of salicylic acid and a mixture of ground plant products, including wild cherry bark, senna and uva ursi leaves, licorice, gentian, and rhubarb roots, and red pepper; that the liquid herbs consisted of magnesium sulphate, a trace of iron citrate, extracts of plant



drugs, including rhubarb and red pepper, water, and a small amount of alcohol, flavored with methyl salicylate; and that the oil of life consisted of approximately 95 per cent of kerosene and small proportions of turpentine oil, tar oil, and camphor, colored with alkanet.

Misbranding of the articles was alleged in substance in the libels for the reason that the above-quoted statements appearing on the said packages, cartons, and bottles and in the accompanying circulars, as the case might be, regarding the curative and therapeutic effect of the said articles, were false and fraudulent in that the said articles did not contain any ingredient or combination of ingredients capable of producing the effects claimed.

On June 20, 1922, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the products be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11060. Adulteration and misbranding of canned clams. U. S. v. 875 Cases of Canned Clams. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 13788, 13789, 13790, 13791, 13792, 13793. I. S. No. 10069-t. S. No. W-776.)**

On October 13, 1920, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 875 cases of canned clams, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by the East Machias Packing Co., from New York, N. Y., August 23, 1920, and transported from the State of New York into the State of California, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Cans) "Atlantic Brand Maine Clams East Machias Packing Co. East Machias, Maine. Contents 5 Oz."

Adulteration of the article was alleged in the libel for the reason that brine had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and had been substituted wholly or in part for the said article.

Misbranding was alleged in substance for the reason that the article was labeled in part as follows, "Contents 5 Oz.," which said label was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked thereon, the quantity stated not being correct.

On January 10, 1921, the Smith & Nessel Co., New York, N. Y., claimant, having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$4,500, in conformity with section 10 of the act, conditioned in part that the labeling be corrected to read in part, "Maine Clams In Excessive Brine Contents Minimum 3½ Oz. Clams."

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11061. Adulteration and misbranding of chocolate coating. U. S. v. 50 Cases of Chocolate Coating. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 15327. I. S. No. 10865-t. S. No. W-1004.)**

On August 18, 1921, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 50 cases, each containing 10 cakes of chocolate coating, consigned by the Washington Chocolate Co., Seattle, Wash., remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped from Seattle, Wash., March 4, 1921, and transported from the State of Washington into the State of California, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: "Washington Chocolate Co. Seattle Manufacturers of Cocoa and Chocolate. Seattle, Washington. U. S. A."

Adulteration of the article was alleged in the libel for the reason that excessive cocoa shells and starch had been mixed and packed with and substituted wholly or in part for the said article, and for the further reason that it was mixed in a manner whereby inferiority was concealed.

Misbranding was alleged for the reason that the article was an imitation of and offered for sale under the distinctive name of another article, and for



the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On November 2, 1921, the claimant for the said property having entered an appearance by Ernest E. Hemrich, secretary and treasurer of the Washington Chocolate Co., and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,200, in conformity with section 10 of the act, conditioned in part that it be relabeled "Sweet Chocolate Coating Containing Corn Starch and Excessive Cocoa Shells" and that the individual cakes be labeled "Net Weight 10 Lbs."

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11062. Misbranding of butter. U. S. v. Beatrice Creamery Co., a Corporation. Plea of guilty. Fine, \$140 and costs.** (F. & D. No 15561. I. S. Nos. 113-t, 116-t, 118-t, 119-t, 4926-t, 4927-t, 4928-t.)

On March 20, 1922, the United States attorney for the Northern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Beatrice Creamery Co., a corporation, Dubuque, Iowa, alleging shipment by said company, in violation of the Food and Drugs Act, as amended, in various consignments, on or about May 16, May 19, May 21, June 1, and June 2, 1921, respectively, from the State of Iowa into the State of Illinois, and on or about May 23, 1921, from the State of Iowa into the State of Wisconsin, of quantities of butter which was misbranded. The article was labeled variously in part: "Meadow Gold \* \* \* Butter, Contents 1 Lb. \* \* \* Beatrice Creamery Company;" "'Meadow Brook Brand' One Pound Net;" "Clover Hill Butter Contents 1 Lb.;" "Sweet Clover Brand Pasteurized Creamery Butter One Pound Net."

Examination of samples of the article by the Bureau of Chemistry of this department showed that it was short weight.

Misbranding of the article was alleged in the information for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On April 29, 1922, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$140 and costs.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11063. Adulteration of oranges. U. S. v. 396 Boxes of Oranges. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 15750. I. S. No. 1800-t. S. No. C-3442.)

On February 24, 1922, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 396 boxes of oranges, remaining unsold in the original unbroken packages at Kansas City, Mo., alleging that the article had been shipped by the Peppers Fruit Co., from Highland, Calif., on or about February 13, 1922, and transported from the State of California into the State of Missouri, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Washington Navels \* \* \* Honest Pack \* \* \* Adulterated."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a decomposed vegetable substance.

On March 25, 1922, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11064. Adulteration of oranges. U. S. v. 396 Boxes of Oranges. Consent decree of condemnation and forfeiture. Product released under bond.** (F. & D. No. 15753. I. S. No. 2033-t. S. No. C-3441.)

On February 14, 1922, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 396 boxes of oranges, remaining unsold in the original unbroken packages at Kansas City, Mo., alleging that the article had been

shipped by Joseph Gentile & Co. (Cleghorn Bros.), from Highland, Calif., on or about February 6, 1922, and transported from the State of California into the State of Missouri, and charging adulteration in violation of the Food and Drugs Act. A portion of the article was labeled in part: "Judge Brand Highland Fancy Shipped by Cleghorn Bros. Highland, Calif." The remainder of the article was labeled in part: "Good Taste Brand Highland Oranges Cleghorn Bros. Highland, Calif."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a decomposed vegetable substance.

On February 24, 1922, Evans and Peppers, a copartnership consisting of O. C. Evans and E. H. Peppers, claimants, having admitted the allegations of the libel and consented to a decree of condemnation and forfeiture, judgment of the court was entered ordering that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$2,000, in conformity with section 10 of the act, conditioned in part that the product be salvaged under the supervision of this department, the decomposed oranges destroyed and the portion meeting the requirements of the law delivered to the claimant without condition.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11065. Misbranding of sour mixed pickles. U. S. v. 8 Cases of Sour Mixed Pickles. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 15956. I. S. No. 12762-t. S. No. C-3011.)**

On February 7, 1922, the United States attorney for the Western District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel, and thereafter an amendment to the said libel, praying the seizure and condemnation of 8 cases of sour mixed pickles at Austin, Tex., alleging that the article had been shipped by the California Packing Corp., San Jose, Calif., on or about December 10, 1921, and transported from the State of California into the State of Texas, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Can) "Del Monte Brand Quality Sour Mixed Pickles Net Weight 12 Oz. Drained Weight 8½ Oz. \* \* \* California Packing Corporation \* \* \* San Francisco California."

Misbranding of the article was alleged in substance in the libel, as amended, for the reason that the following statements appearing on the cans containing the said article, "Net Weight 12 Oz. Drained Weight 8½ Oz.," were false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was [food] in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On June 14, 1922, Nelson Davis & Son, Austin, Tex., having entered an appearance as claimant for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11066. Adulteration and misbranding of flour. U. S. v. 490 Bags of Flour. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 16348. I. S. No. 10873-t. S. No. W-1091.)**

On May 25, 1922, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 490 bags of flour, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by the Kalispell Flour Mill Co., from Kalispell, Mont., May 10, 1922, and transported from the State of Montana into the State of California, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: "The Royal Milling Co. Rex Rex is King Bleached Manufactured By Kalispell Flour Mill Company Kalispell, Montana 98 Lbs. Rex Flour."

Adulteration of the article was alleged in the libel for the reason that water had been mixed and packed with and substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the statement, "98 Lbs.," appearing on the sacks containing the article, was false and misleading and deceived and misled purchasers. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On June 2, 1922, H. H. Cook, San Francisco, Calif., claimant, having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,300, in conformity with section 10 of the act, conditioned in part that it be made to conform with the provisions of the said act, under the supervision of this department.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11067. Misbranding of candy. U. S. v. Louis K. Liggett Co., a Corporation. Collateral of \$50 forfeited. (F. & D. No. 16559. I. S. Nos. 17023-t, 17024-t.)**

On October 24, 1922, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Police Court of the District aforesaid an information against Louis K. Liggett Co., a corporation, trading in the District of Columbia, alleging that on March 16, 1922, the said company did offer for sale and sell at the District of Columbia, in violation of the Food and Drugs Act, as amended, quantities of chocolate peppermint candy and Jordan almonds which were misbranded. The chocolate peppermint candy was labeled in part: (Outside of package) "Liggett's America's Greatest Drug Stores Candy Department;" (inside of package) "16 Oz. Net." The package containing the Jordan almonds was unlabeled and unmarked.

Misbranding of the articles was alleged in the information for the reason that each article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On October 24, 1922, the defendant company having failed to enter an appearance, the \$50 collateral which had been deposited by it to secure its appearance was declared forfeited by the court.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11068. Adulteration of tomato catsup. U. S. v. 22 Cases of Tomato Catsup. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 16797. I. S. Nos. 79-v, 80-v. S. No. E-4163.)**

On September 6, 1922, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 22 cases of tomato catsup, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by S. J. Van Lill Co., Baltimore, Md., on or about July 19, 1922, and transported from the State of Maryland into the State of New York, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: (Cans) "Somerset Club Brand Catsup \* \* \* Contents 6 Lbs. 6 Ozs."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

On October 31, 1922, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11069. Adulteration of butter. U. S. v. 43 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 16806. I. S. No. 3768-v. S. No. C-3500.)**

On September 7, 1922, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 43 tubs of butter, remaining unsold in the original packages at Chicago, Ill., alleging that the article had been shipped by the Wittenberg Ccooperative Dairy Co., Wittenberg, Wis., August 21, 1922, and transported from the State of Wisconsin into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act.



Adulteration of the article was alleged in the libel for the reason that a substance, to wit, excessive water, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, for the further reason that said substance had been substituted in part for the said article, and for the further reason that a valuable constituent, to wit, butterfat, had been in part abstracted from the said article.

On October 24, 1922, the Wittenberg Cooperative Dairy Co., Wittenberg, Wis., claimant, having admitted the allegations of the libel and consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that it be reprocessed under the supervision of this department so that it should contain not less than 80 per cent of milk fat and not more than 16 per cent of water.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11070. Misbranding of Boquette's family remedy. U. S. v. 19 Bottles, et al, of Boquette's Family Remedy. Default decrees of condemnation, forfeiture, and destruction.** (F. & D. Nos. 14696, 14697, 15479. I. S. Nos. 3955-t, 3956-t, 1020-t. S. Nos. C-2954, C-2955, C-3272.)

On April 5 and October 14, 1921, respectively, the United States attorney for the Western District of Missouri, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 44 bottles of Boquette's family remedy, remaining unsold in the original unbroken packages in various lots at Richmond, Cainesville, and Excelsior Springs, Mo., alleging that the article had been shipped by the Boquette Co., Council Bluffs, Iowa, in part September 20, 1920, and in part February 10, 1921, and transported from the State of Iowa into the State of Missouri, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Bottle) "Boquette's Family Remedy For Chills and Fever, external and internal. For Rheumatism, Neuralgia, Lumbago, Heart Trouble, Constipation, Indigestion, Catarrh, Kidney Trouble, Stomach Trouble, Headache, Grippe, or Blood Diseases. It is a fine purifier and Nerve Tonic \* \* \* for female trouble and weaknesses \* \* \* Blood Purifier Compound of Roots, Herbs, Leaves, Barks and Berries \* \* \* For Chills, Fever, Flu, Grip \* \* \* For Mumps \* \* \* For Female Complaints, Stomach Trouble, Bladder Troubles, Sore Throat, Kidney Troubles, Nervous Prostration, Headaches, Lamé Back, Hay Fever—For Goitre, Constipation, Coughs, Tuberculosis, Liver, Piles \* \* \* For Rheumatism, Paralysis, Dropsy, Inflamed and Swollen Limbs, and for Syphilis \* \* \*."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of approximately 3 per cent of magnesium sulphate, 2½ per cent of sodium nitrate, a small amount of extractives, and 93½ per cent of water.

Misbranding of the article was alleged in substance in the libels for the reason that the above-quoted statements appearing on the labels of the said bottles, regarding the curative and therapeutic effects of the said article, were false and fraudulent in that it contained no ingredient or combination of ingredients capable of producing the effects claimed.

On July 1, July 2, and November 18, 1921, respectively, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11071. Misbranding of cottonseed meal. U. S. v. Tallulah Cotton Oil Co., a Corporation. Plea of guilty. Fine, \$150.** (F. & D. No. 14920. I. S. No. 11928-t.)

On August 27, 1921, the United States attorney for the Western District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Tallulah Cotton Oil Co., a corporation, Tallulah, La., alleging shipment by said company in violation of the Food and Drugs Act, as amended, on or about August 22, 1920, from the State of Louisiana into the State of Illinois, of a quantity of cottonseed meal which was misbranded.

Misbranding of the article was alleged in the libel for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On October 3, 1921, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$150.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11072. Adulteration and misbranding of canned salmon. U. S. v. Rush Estee and the Kenai Packing Co., a Corporation. Dismissed as to Kenai Packing Co. Plea of nolo contendere by Rush Estee. Fine, \$100. (F. & D. No. 15058. I. S. Nos. 10084-t, 10085-t, 10086-t, 10091-t, 10092-t, 10094-t.)**

On February 1, 1922, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Rush Estee, Seattle, Wash., and the Kenai Packing Co., a corporation, trading at Seattle, Wash., alleging shipment by said defendants in violation of the Food and Drugs Act, in two consignments, on or about December 4, 1920, and December 27, 1920, respectively, from the State of Washington to Sidney, Australia, of quantities of canned salmon which was adulterated and misbranded. The article was labeled in part, variously: "Kay-Square Brand Select Pink Salmon \* \* \* Kenai Packing Co. Seattle, Wash.;" "Keen-Eye Finest Alaska Red Salmon \* \* \* Kenai Packing Co. Seattle, Wash.;" "Horizon Brand Select \* \* \* Medium-Red Salmon Kenai Packing Co. Seattle Wash."

Adulteration of the article was alleged in the information for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

Misbranding was alleged in substance for the reason that the statement, to wit, "Select \* \* \* Salmon," borne on the labels attached to a number of the cans involved in the consignment of December 4, 1920, and the statement, to wit, "Finest \* \* \* Salmon," borne on a number of the cans from said consignment, and the statements, to wit, "Fresh Fish" and "Inspected," borne on the labels attached to all the cans from said consignment, and the statement, to wit, "Select \* \* \* Salmon," borne on the labels of the cans involved in the remaining consignment, regarding the article and the ingredients and substances contained therein, were false and misleading in that the said statements represented that the said article with respect to a number of the said cans was select salmon, with respect to a number of the said cans was finest salmon, and that all of the product involved in the consignment of December 4, 1920, was fresh fish and had passed inspection by the United States Government, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that the article with respect to a number of the said cans was select salmon, with respect to a number of the said cans was finest salmon, and that all of the product involved in the said consignment of December 4, 1920, was fresh fish and had passed inspection by the United States Government, whereas, in truth and in fact, the article was not select salmon, it was not finest salmon, it was not fresh fish, and the product involved in the consignment of December 4, 1920, had not passed inspection by the United States Government.

On July 17, 1922, a plea of nolo contendere to the information was entered by Rush Estee, and the court imposed a fine of \$100. The Kenai Packing Co. having become bankrupt, the case against the said company was dismissed on September 29, 1922.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11073. Adulteration of shell eggs. U. S. v. Barnett Supply Co., a Corporation. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 15592. I. S. No. 3353-t.)**

On April 3, 1922, the United States attorney for the Northern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Barnett Supply Co., a corporation, Booneville, Miss., alleging shipment by said company in violation of the Food and Drugs Act, on or about September 22, 1921, from the State of Mississippi into the State of Alabama, of a quantity of shell eggs which were adulterated. The article was labeled in part: (Tag) "The eggs contained in this case have been carefully candled by

M on 9-21-1921 for Barnett Supply Co., Booneville, Miss., and all unfit for food have been excluded."

Examination, by the Bureau of Chemistry of this department, of 360 eggs from the consignment showed the presence of 46 inedible eggs, or 12.8 per cent of those examined, which consisted of mixed or white rots and blood rings.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid animal substance.

On October 2, 1922, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50 and costs.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11074. Adulteration and misbranding of vinegar. U. S. v. 40 Barrels of Alleged Apple Cider Vinegar Blend. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 16131. I. S. No. 8178-t. S. No. E-3854.)**

On April 24, 1922, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 40 barrels [10 barrels and 30 half-barrels] of alleged apple cider vinegar blend, consigned by the Fruit Products Co., Savannah, Ga., remaining unsold in the original unbroken packages at Jacksonville, Fla., alleging that the article had been shipped from Savannah, Ga., on or about March 16, 1922, and transported from the State of Georgia into the State of Florida, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Barrel) "Fruit Products Co. Apple Cider Vinegar Blend Savannah Ga."

Adulteration of the article was alleged in substance in the libel for the reason that distilled vinegar had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength and had been substituted wholly or in part for the said article. Adulteration was alleged for the reason that the article was colored in a manner whereby damage and inferiority were concealed.

Misbranding was alleged for the reason that the aforesaid statement, to wit, "Fruit Products Co. \* \* \* Apple Cider Vinegar Blend," was false and misleading and deceived and misled purchasers thereof. Misbranding was alleged for the further reason that the article was an imitation of and offered for sale under the distinctive name of another article.

On May 8, 1922, the Fruit Products Co., Savannah, Ga., claimant, having admitted the allegations of the libel, but claiming that any violation of the laws was unintentional and through ignorance, judgment of condemnation was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$400, in conformity with section 10 of the act, conditioned in part that if the said product should be sold or disposed of in any form or branding, such branding should accurately and correctly describe the product.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11075. Adulteration of oysters. U. S. v. The Atlantic Packing Co., a Corporation. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 16403. I. S. No. 15009-t.)**

On September 25, 1922, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Atlantic Packing Co., a corporation, Baltimore, Md., alleging shipment by said company in violation of the Food and Drugs Act, on or about February 23, 1922, from the State of Maryland into the State of New York, of a quantity of oysters which were adulterated. The article was labeled in part: (Tag) " \* \* \* From The Atlantic Packing Co. Majestic Brand Oysters Baltimore Maryland."

Examination of a sample of the article by the Bureau of Chemistry of this department showed that it contained added water.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, water, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength and had been substituted in part for oysters, which the said article purported to be. Adultera-



tion was alleged for the further reason that a valuable constituent of the article, to wit, oyster solids, had been in part abstracted.

On September 25, 1922, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$25 and costs.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11076. Adulteration of raspberries. U. S. v. 1,725 Crates of Raspberries. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 16658. I. S. No. 2026-v. S. No. E-4075.)**

On July 24, 1922, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1,725 crates of raspberries, remaining in the original unbroken packages at Buffalo, N. Y., alleging that the article had been shipped by Harvey Stewart, on or about July 1, 1922, in part from Philadelphia, Pa., and in part from Hammonton, N. J., and transported from the States of Pennsylvania and New Jersey, respectively, into the State of New York, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

On September 8, 1922, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11077. Misbranding of flour. U. S. v. 400 Sacks of Flour. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 16755. I. S. No. 7826-v. S. No. W-1199.)**

On August 28, 1922, the United States attorney for the Eastern District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 400 sacks of flour, remaining in the original unbroken packages at Spokane, Wash., consigned by the Royal Milling Co., Great Falls, Mont., alleging that the article had been shipped from Great Falls, Mont., on or about June 29, 1922, and transported from the State of Montana into the State of Washington, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Sacks) "Rex Flour \* \* \* Bleached \* \* \* Royal Milling Company Great Falls, Montana 98 Lbs."

Misbranding of the article was alleged in substance in the libel for the reason that the sacks containing the said article bore labels indicating that they contained 98 pounds of flour, net weight, and for the further reason that the sacks were labeled so as to deceive and mislead the purchaser into the belief that they contained the full number of pounds set forth on the said labels, whereas, in truth and in fact, each of said sacks contained a less amount. Misbranding was alleged for the further reason that the article was [food] in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the packages, since the weight declared on the label was not correct.

On August 29, 1922, the Kalispell Flour Mill Co., having entered an appearance as claimant for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$200, in conformity with section 10 of the act.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11078. Adulteration and misbranding of butter. U. S. v. 18 Cases of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 16769. I. S. No. 1216-v. S. No. E-4140.)**

On August 25, 1922, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of the District aforesaid, holding a district court, a libel for the seizure and condemnation of 18 cases of butter, remaining unsold at Washington, D. C., alleging that the article had been shipped by the Cudahy Packing Co., from Kansas City, Mo., on or about July 7, 1922, and transported from the State of Missouri into the District of Columbia, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Sun-

light Creamery Butter Sunlight Creameries General Offices, Chicago, Illinois Sunlight."

Adulteration of the article was alleged in the libel for the reason that a substance, to wit, excessive water, had been mixed and packed therewith so as to reduce or lower or injuriously affect its quality or strength and had been substituted wholly or in part for butter, which the said article purported to be. Adulteration was alleged for the further reason that a valuable constituent of the article, to wit, butterfat, had been wholly or in part abstracted.

Misbranding was alleged for the reason that the statement, to wit, "Sunlight Creamery Butter \* \* \*," borne on the cartons containing the article, was false and misleading in that the said statement represented that each of the said cartons contained creamery butter, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of said cartons contained creamery butter, whereas, in truth and in fact, each of said cartons did not contain creamery butter. Misbranding was alleged for the further reason that the article was an imitation of and offered for sale under the distinctive name of another article, to wit, creamery butter.

On September 16, 1922, the Western Creamery Co., claimant, having admitted the allegations of the libel and consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$200, in conformity with section 10 of the act.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11079. Adulteration and misbranding of butter. U. S. v. 5 Tubs of Butter. Consent decree of condemnation, forfeiture, and destruction. (F. & D. No. 166778. I. S. No. 1111-v. S. No. E-4144.)**

On August 29, 1922, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of the District aforesaid, holding a district court, a libel for the seizure and condemnation of 5 tubs of butter, remaining unsold at Washington, D. C., alleging that the article had been shipped by the Rushmore Creamery Co., Rushmore, Minn., on or about August 8, 1922, and transported from the State of Minnesota into the District of Columbia, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "From Rushmore Creamery Co. Rushmore Minn."

Adulteration of the articles was alleged in the libel for the reason that a substance, to wit, excessive water, had been mixed and packed therewith so as to reduce or lower or injuriously affect its quality or strength and had been substituted wholly or in part for butter, which the said article purported to be. Adulteration was alleged for the further reason that a valuable constituent of the article, to wit, butterfat, had been wholly or in part abstracted.

Misbranding was alleged for the reason that the article was an imitation of and offered for sale under the distinctive name of another article.

On October 9, 1922, the Rushmore Creamery Co., Rushmore, Minn., claimant, having admitted the allegations of the libel and consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$100, in conformity with section 10 of the act.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11080. Adulteration and misbranding of cottonseed meal. U. S. v. Refuge Cotton Oil Co., a Corporation. Plea of guilty. Fine, \$100 and costs. (F. & D. No. 11802. I. S. Nos. 11051-r, 11057-r.)**

On April 3, 1922, the United States attorney for the Northern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Refuge Cotton Oil Co., a corporation, Vicksburg, Miss., alleging shipment by said company in violation of the Food and Drugs Act, as amended, in two consignments, on or about October 5 and 9, 1918, respectively, from the State of Mississippi into the State of Michigan, of quantities of unlabeled cottonseed meal which was adulterated and misbranded. The article was described in a contract relating thereto as "Quality Good 7%."

Analysis, by the Bureau of Chemistry of this department, of a sample of the article taken from each consignment showed that the said samples contained



6.27 and 6.08 per cent, respectively, of ammonia. Examination by said bureau showed that the said consignments contained 34 and 35 per cent, respectively, of cottonseed hulls.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, cottonseed hulls, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality, and had been substituted in part for cottonseed meal which the article purported to be.

Misbranding was alleged in substance for the reason that the statement, to wit, "Quality Good 7%," contained in the said contract, regarding the article and the ingredients and substances contained therein, was false and misleading in that the said statement represented that the article was 7 per cent ammonia cottonseed meal, and for the further reason that it was described as aforesaid so as to deceive and mislead the purchaser into the belief that it was 7 per cent ammonia cottonseed meal, whereas, in truth and in fact, it was not 7 per cent ammonia cottonseed meal, but was a mixture of cottonseed meal and cottonseed hulls, and contained less than 7 per cent of ammonia. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On October 2, 1922, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100 and costs.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11081. Adulteration and misbranding of feed. U. S. v. Milam-Morgan Co., Ltd., a Corporation. Plea of guilty. Fine, \$110. (F. & D. No. 14917. I. S. Nos. 112-r, 10537-r, 11155-r, 11165-r, 11166-r, 11169-r, 11170-r.)**

On October 4, 1921, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Milam-Morgan Co., Ltd., a corporation, New Orleans, La., alleging shipment by said company in violation of the Food and Drugs Act, as amended, in various consignments, namely, on or about April 23, 1920, from the State of Louisiana into the State of Florida, on or about May 20, 1920, from the State of Louisiana into the State of Alabama, and on or about February 12, April 10, April 16, April 22, and April 24, 1920, from the State of Louisiana into the State of Mississippi, of quantities of feed, a portion of which was misbranded and the remainder of which was adulterated and misbranded. The article was labeled in part: "Manufactured by Milam-Morgan Co., Ltd. New Orleans, La." The various brands of the article were further labeled in part: "Bay Mule Molasses Feed;" "Evergreen Molasses Feed;" "Perfecto Horse and Mule Feed;" "'Milo' Stock Feed;" "'Suwanee' Horse and Mule Feed."

Analysis of samples of the article by the Bureau of Chemistry of this department showed the following results: The three consignments of Bay Mule brand contained 16.97, 16.88, and 19.18 per cent, respectively, of crude fiber, and contained corn, oats, alfalfa, cottonseed meal, rice bran, and peanut shells. No oat feed was found in two of the three consignments. The product involved in the consignment of May 20, 1920, into Alabama, was short weight. The Evergreen brand contained 17.81 per cent of crude fiber and consisted of corn, alfalfa, rice bran, cracked kafir or milo, cottonseed hulls, peanut shells, and small wheat grains, probably from screenings. No oats and not more than a trace of oat feed, if any, and no cottonseed meal were present. The Perfecto brand contained 7.74 per cent of protein and consisted of corn, oats, alfalfa, rice bran, an oat by-product, probably oat feed, and cottonseed hulls. No cottonseed meal was found. The Milo brand contained 7.66 per cent of protein and consisted of corn, oats, alfalfa, and rice hulls. The Suwanee brand contained 20.48 per cent of crude fiber and consisted of corn, a trace of oats, a negligible trace of alfalfa, rice bran with an excess of rice hulls, not more than a trace of oat feed, if any, and cottonseed meal; it also contained peanut shells, wheat and chaff, probably from screenings, and a little ground kafir.

Adulteration of the Milo brand was alleged in the information for the reason that a substance, to wit, rice hulls, had been substituted in whole or in part for a product composed of corn, oats, alfalfa, cane molasses, and salt, which the article purported to be. Adulteration of the Suwanee brand was alleged for the reason that substances, to wit, peanut shells, rice hulls, and screenings had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength and had been substituted in part for a product



composed of corn, oats, alfalfa, rice bran, oat feed (oat hulls, oat middlings, oat shorts), cottonseed meal, cane molasses, and salt, which the article purported to be. Adulteration of a portion of the Bay Mule brand was alleged for the reason that a substance, to wit, peanut shells, had been substituted in part for a product composed of corn, oats, alfalfa, rice bran, oat feed (oat hulls, oat middlings, oat shorts), cottonseed meal, cane molasses, and salt, which the article purported to be.

Misbranding was alleged in substance for the reason that the statements, to wit, "Containing Corn, Oats, Alfalfa, Cane Molasses, Salt," with respect to the Milo brand, and "Containing Corn, Oats, Alfalfa, Rice Bran, Oat Feed, (Oat Hulls, Oat Middlings, Oat Shorts), Cottonseed Meal, Cane Molasses, Salt," with respect to the remaining brands, together with the additional statements, to wit, "Guaranteed Analysis \* \* \* Fibre 15.00 %," with respect to the Evergreen and Suwanee brands, "Guaranteed Analysis \* \* \* Protein 9.00 %," with respect to the Perfecto and Milo brands, and "Fibre 15.00 %," "100 Pounds Net When Packed," with respect to a portion of the Bay Mule brand, borne on the tags attached to the sacks containing the article, regarding the said article and the ingredients and substances contained therein, were false and misleading in that the said statements represented that the article consisted wholly of corn, oats, alfalfa, rice bran, oat feed (oat hulls, oat middlings, oat shorts), cottonseed meal, cane molasses, and salt, or corn, alfalfa, oats, cane molasses, and salt, as the case might be, that the Evergreen brand, a portion of the Bay Mule brand, and the Suwanee brand contained not more than 15 per cent of fiber, that the Perfecto brand and the Milo brand contained not less than 9 per cent of protein, and that the sacks containing a portion of the Bay Mule brand contained 100 pounds thereof, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it consisted wholly of corn, oats, alfalfa, rice bran, oat feed (oat hulls, oat middlings, oat shorts), cottonseed meal, cane molasses, and salt, or corn, alfalfa, oats, cane molasses, and salt, as the case might be, that the Evergreen brand, a portion of the Bay Mule brand, and the Suwanee brand contained not more than 15 per cent of fiber, that the Perfecto brand and the Milo brand contained not less than 9 per cent of protein, and that the sacks containing a portion of the Bay Mule brand contained 100 pounds thereof, whereas, in truth and in fact, the article did not contain the ingredients appearing in the labeling, but a portion of the Bay Mule brand consisted of a mixture which contained peanut shells and no oat feed, a portion thereof contained more than 15 per cent of fiber and consisted of a mixture composed in part of peanut shells which contained no oat feed, and the remainder thereof contained more than 15 per cent of fiber and consisted of a mixture composed in part of peanut shells, and the sacks containing the said portion contained less than 100 pounds net thereof, the Evergreen brand contained more than 15 per cent of fiber and consisted of a mixture composed in part of peanut shells, cottonseed hulls, and cracked kafir or milo which contained little if any cottonseed meal or oat feed, the Perfecto brand contained less than 9 per cent of protein and consisted of a mixture composed in part of cottonseed hulls which contained no cottonseed meal, the Milo brand contained less than 9 per cent of protein and consisted of a mixture composed in part of rice hulls, and the Suwanee brand contained more than 15 per cent of fiber and consisted of a mixture composed in part of peanut shells, rice hulls, and screenings which contained little if any oats, oat feed, or alfalfa.

On December 6, 1921, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$110.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11082. Misbranding of cottonseed meal. U. S. v. Swift & Co., a Corporation. Plea of guilty. Fine, \$200.** (F. & D. No. 15464. I. S. Nos. 10533-r, 10534-r, 10535-r.)

On April 1, 1922, the United States attorney for the Northern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Swift & Co., a corporation, trading at Atlanta, Ga., alleging shipment by said company in violation of the Food and Drugs Act, in three consignments, on or about April 9, April 24, and April 28, 1920, respectively, from the State of

Georgia into the State of Alabama, of quantities of cottonseed meal which was misbranded. The article was labeled in part: "100 Lbs. Good Cotton Seed Meal \* \* \* Guaranteed Analysis Protein (minimum) 36.00%."

Analysis, by the Bureau of Chemistry of this department, of a sample taken from each of the consignments showed that the said samples contained 33.75, 33.39, and 31.78 per cent, respectively, of protein.

Misbranding of the article was alleged in the information for the reason that the statements, to wit, "Good Cotton Seed Meal \* \* \* Guaranteed Analysis Protein (minimum) 36.00%," borne on the tags attached to the sacks containing the said article, regarding the article and the substances and ingredients contained therein, were false and misleading in that the said statements represented the said article to be good cottonseed meal and guaranteed to contain not less than 36 per cent of protein, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was good cottonseed meal and that it contained not less than 36 per cent of protein, whereas, in truth and in fact, it was not good cottonseed meal and did contain less than 36 per cent of protein. Misbranding was alleged for the further reason that the article was a product containing less than 36 per cent of protein and was an imitation of and offered for sale under the distinctive name of another article, to wit, cottonseed meal.

On November 1, 1922, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$200.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11083. Adulteration and misbranding of tomato catsup. U. S. v. Rosario Rizzo. Plea of guilty. Fine, \$25. (F. & D. No. 15851. I. S. Nos. 5824-t, 6489-t.)**

On March 14, 1922, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Rosario Rizzo, Albion, N. Y., alleging shipment by said defendant in violation of the Food and Drugs Act, as amended, in two consignments, on or about October 28 and 29, 1920, from the State of New York into the States of Connecticut and Pennsylvania, respectively, of quantities of tomato catsup which was adulterated and misbranded. The article was labeled in part: (Bottle) "Royal Kitchen Brand \* \* \* Tomato Catsup Packed By Thomas Page Albion, N. Y. \* \* \* Contents 10 Oz."

Examination of samples of the article by the Bureau of Chemistry of this department showed that it had been manufactured from moldy tomatoes. The average net weight of 6 bottles from the consignment of October 29, 1920, was 9.3 ounces.

Adulteration of the article in both consignments was alleged in the information for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

Misbranding was alleged with respect to the consignment of October 29 for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, since the stated quantity, to wit, "Contents 10 Oz.," was incorrect and represented more than the actual contents of the said packages.

On May 2, 1922, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11084. Adulteration of shell eggs. U. S. v. 400 Cases and 400 Cases of Eggs. Consent decrees of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 16048, 16049. I. S. Nos. 3367-t, 3368-t. S. Nos. C-3424, C-3425.)**

On or about January 31, 1922, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 800 cases of eggs, remaining in the original unbroken packages at New Orleans, La., alleging that the article had been shipped by Allen Smith, in part from Caldwell and in part from Bryan, Tex., on or about March 21 and 22, 1921, respectively, and transported from the State of Texas into the State of Louisiana, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libels for the reason that it consisted in whole or in part of a filthy, decomposed, or putrid animal substance.

On February 3, 1922, J. A. Courtney, Mobile, Ala., having entered an appearance as claimant for the property through his agent, J. A. Kirkpatrick & Son, New Orleans, La., and having consented to the entry of decrees, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of bonds in the aggregate sum of \$1,800, in conformity with section 10 of the act, conditioned in part that it be correctly assorted and candled.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11085. Adulteration and misbranding of salad dressing. U. S. v. 49 Cases of Decomposed Salad Dressing. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 16092. I. S. No. 11198-f. S. No. W-1067.)

On April 10, 1922, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 49 cases of decomposed salad dressing, remaining in the original unbroken cases at Portland, Oreg., alleging that the article had been shipped by Ben T. Hosking & Bro., Chicago, Ill., March 31, 1922, and transported from the State of Illinois into the State of Oregon, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Bottle) "Net Weight, 10 Ounces \* \* \* Regal Brand Thousand Island Dressing \* \* \* Ben T. Hosking & Brother Chicago."

Adulteration of the article was alleged in the libel for the reason that it consisted wholly or in part of a decomposed vegetable substance.

Misbranding was alleged in substance for the reason that the statement, "Net Weight, 10 Ounces," was false and misleading and deceived and misled purchasers, and for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the said packages.

On October 19, 1922, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11086. Adulteration and misbranding of potatoes. U. S. v. 200 Sacks of Potatoes. Consent decree of condemnation and forfeiture. Product released under bond.** (F. & D. No. 16515. I. S. No. 1222-v. S. No. E-4174.)

On September 6, 1922, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of the District aforesaid, holding a district court, a libel for the seizure and condemnation of 200 sacks of potatoes, remaining in the original unbroken packages at Washington, D. C., alleging that the article had been shipped by Chamberlin & Barclay, Hightstown, N. J., on or about August 29, 1922, and transported from the State of New Jersey into the District of Columbia, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "U. S. Grade No. 1, C & B 150 Lbs. Net When Packed Chamberlin & Barclay, Hightstown, N. J.—Cranbury, N. J."

Adulteration of the article was alleged in the libel for the reason that a substance, to wit, potatoes of a lower grade than that designated in the label, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and had been substituted in part for Grade No. 1 potatoes, which the said article purported to be.

Misbranding was alleged for the reason that the sacks containing the article bore a statement regarding the said article and the ingredients and substances contained therein, to wit, "U. S. Grade No. 1," which was false and misleading and deceived and misled the purchaser, in that the said statement represented that the article conformed to the requirements of the United States Government for Grade No. 1 potatoes, whereas, in truth and in fact, it contained an excessive amount of potatoes showing blemishes such as deep-pitted scab, cuts, and sunburn.

On September 18, 1922, F. D. Parrish, Washington, D. C., claimant, having admitted the allegations of the libel and consented to the entry of a decree,



judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the deposit of \$500 in cash or the execution of a bond in the sum of \$500, conditioned that the product should not be sold or otherwise disposed of contrary to the provisions of the said act.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11087. Adulteration and misbranding of flour. U. S. v. 325 Sacks of Flour. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 16631. I. S. No. 14057-t. S. No. W-1155.)**

On July 15, 1922, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 325 sacks of flour, remaining in the original unopened sacks at Portland, Oreg., alleging that the article had been shipped by the Montana Flour Mills Co., Great Falls, Mont., March 30, 1922, and transported from the State of Montana into the State of Oregon, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Montana Flour Mills Co. Sapphire \* \* \* Matured Bleached 49 Lbs. Net Sapphire Flour."

Adulteration of the article was alleged in the libel for the reason that excessive water had been so mixed and packed with and substituted wholly or in part for normal flour of good commercial quality as to reduce and lower and injuriously affect the quality of the said flour.

Misbranding was alleged for the reason that the statement, "49 Lbs.," borne on the sacks containing the article, was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On September 2, 1922, the Montana Flour Mills Co., Great Falls, Mont., claimant, having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11088. Adulteration of eggs. U. S. v. 406 Cases of Eggs. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 16679. I. S. No. 3754-v. S. No. C-3705.)**

On July 13, 1922, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 406 cases of eggs, remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by J. H. Cheatham, Bucklin, Kans., June 28, 1922, and transported from the State of Kansas into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy animal substance, for the further reason that it consisted in part of a decomposed animal substance, and for the further reason that it consisted in part of a putrid animal substance.

On July 14, 1922, the Ralph Hurst Co., Chicago, Ill., claimant, having admitted the material allegations of the libel and consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that it be recandled under the supervision of this department, the bad portion destroyed and the good portion delivered to the claimant.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11089. Misbranding of apples. U. S. v. 175 Barrels of Apples. Decree ordering release of product under bond. (F. & D. No. 16815. I. S. No. 2008-v. S. No. E-4188.)**

On September 14, 1922, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the

seizure and condemnation of 175 barrels of apples, remaining in the original unbroken packages at Pittsburgh, Pa., alleging that the article had been shipped by Samuel Rinelli, Lockport, N. Y., on or about August 31, 1922, and transported from the State of New York into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: "New York Standard A. Grade \* \* \* Samuel Rinelli, Lockport, N. Y., Maiden Blush, New York State S. R. Apples."

Misbranding of the article was alleged in the libel for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package in terms of weight, measure, or numerical count.

On October 2, 1922, Samuel Rinelli, Lockport, N. Y., having appeared and filed an answer to the libel admitting the material allegations of the said libel, judgment of the court was entered ordering that the product be released to Comella & Badali, Pittsburgh, Pa., upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, by said Samuel Rinelli, in conformity with section 10 of the act, conditioned in part that it be re-branded to the satisfaction of this department.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11090. Adulteration of oysters. U. S. v. LeRoy Marvin Langrall, Ernest Hooper Langrall, and Harrison Morton Langrall (Baltimore Canning Co.). Pleas of guilty. Fine, \$150 and costs. (F. & D. No. 16408. I. S. No. 6035-t.)**

On November 8, 1922, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against LeRoy Marvin Langrall, Ernest Hooper Langrall, and Harrison Morton Langrall, copartners, trading as the Baltimore Canning Co., Baltimore, Md., alleging shipment by said defendants in violation of the Food and Drugs Act, on or about November 3, 1921, from the State of Maryland into the State of Pennsylvania, of a quantity of oysters which were adulterated. The article was labeled in part: "From Baltimore Canning Co. Old Scout Brand Oysters Baltimore Maryland."

Examination of a sample of the article by the Bureau of Chemistry of this department showed that it contained added water.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, water, had been substituted in part for the said article.

On November 8, 1922, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$150 and costs.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11091. Misbranding of Parry's vegetable compound. U. S. v. 4 Bottles of No. 6 and 2 Bottles of No. 1 Parry's Vegetable Compound. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 14455. I. S. No. 2485-t. S. No. C-2798.)**

On February 17, 1921, the United States attorney for the District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 4 bottles of No. 6 and 2 bottles of No. 1 Parry's vegetable compound, remaining in the original unbroken packages at Elwood, Ind., alleging that the articles had been shipped by the Parry Medicine Co., Pittsburgh, Pa., on or about July 30, 1920, and transported from the State of Pennsylvania into the State of Indiana, and charging misbranding in violation of the Food and Drugs Act, as amended. The articles were labeled in part: (Both products) "All goods guaranteed under the Pure Food and Drugs Act, June 30, 1906;" (Parry's Vegetable Compound No. 6) "Cancer \* \* \* for Eczema, Pimples, Skin Disease, Scalds, Burns and Smallpox;" (Parry's Vegetable Compound No. 1) "Cancer \* \* \* for Tuberculosis, Lungs, Bones or Flesh, Gallstones or Tapeworm."

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that they consisted of olive oil, alcohol, and water, flavored with various essential oils.

Misbranding of the articles was alleged in substance in the libel for the reason that the above-quoted statements appearing in the labeling were false and misleading, and for the further reason that the said statements, with

respect to the curative and therapeutic effects of the articles, were false and fraudulent in that the articles did not contain any ingredient or combination of ingredients capable of producing the results claimed.

On May 20, 1921, the Parry Medicine Co., Inc., Pittsburgh, Pa., claimant, having admitted the material allegations of the libel, judgment of condemnation was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a good and sufficient bond, in conformity with section 10 of the act, conditioned in part that it be relabeled in a manner satisfactory to this department.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11092. Adulteration and misbranding of flavor of vanilla and flavor of lemon. U. S. v. 21 Dozen Bottles of Flavor of Vanilla and 18 Dozen Bottles of Flavor of Lemon. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14861. I. S. Nos. 10794-t, 10795-t. S. No. C-3000.)**

On July 19, 1921, the United States attorney for the Western District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 21 dozen bottles of flavor of vanilla and 18 dozen bottles of flavor of lemon at El Paso, Tex., alleging that the articles had been shipped by the Lexington Wholesale Drug Co., Lexington, Ky., on or about March 24, 1921, and transported from the State of Kentucky into the State of Texas, and charging adulteration and misbranding in violation of the Food and Drugs Act. The articles were labeled in part: (Bottle) "\* \* \* Star Brand Flavor of Vanilla" (or "Flavor of Lemon") "For flavoring ice cream, custards, pastry, jellies, etc., Put up by Lexington Wholesale Drug Co. \* \* \* Lexington, Ky."

It was alleged in substance in the libel that the vanilla flavor, so-called, had been mixed and colored in a manner whereby its damage or inferiority was concealed, that the lemon flavor, so-called, was a factitious lemon extract, containing little or no lemon oil products, which had been mixed and packed with the said article so as to reduce and lower and injuriously affect its quality and strength, and that the said alleged lemon flavor had been mixed in a manner whereby its damage or inferiority was concealed.

Misbranding was alleged in substance for the reason that the labels on the bottles containing the articles were false and misleading and deceived and misled the purchaser in that the so-called vanilla was not vanilla, but was a factitious vanilla extract, the flavor of which was derived from vanillin and coumarin, and which was colored with caramel and contained a reduced content of alcohol, and in that the so-called lemon was a factitious lemon extract, containing little or no lemon oil products. Misbranding was alleged with respect to both products for the further reason that they were imitations of and offered for sale under the distinctive names of other articles.

On October 4, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the products be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11093. Misbranding of potatoes. U. S. v. Combahee Co., a Corporation. Plea of guilty. Fine, \$100 and costs. (F. & D. No. 16003. I. S. No. 5981-t.)**

On May 4, 1922, the United States attorney for the Western District of South Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Combahee Co., a corporation, trading at Combahee Siding, S. C., alleging shipment by said company in violation of the Food and Drugs Act, as amended, on or about June 9, 1921, from the State of South Carolina into the State of Pennsylvania, of a quantity of potatoes which were misbranded.

Misbranding of the article was alleged in the information for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On October 10, 1922, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100 and costs.

C. F. MARVIN, *Acting Secretary of Agriculture.*



**11094. Adulteration of butter. U. S. v. 235 Tubs of Butter. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 16513. I. S. No. 1602-v. S. No. E-4100.)**

On August 2, 1922, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel of information praying the seizure and condemnation of 235 tubs of butter, remaining in the original unbroken packages at Boston, Mass., alleging that the article had been shipped by the North American Creamery, Paynesville, Minn., on or about July 13, 1922, and transported from the State of Minnesota into the State of Massachusetts, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that a substance, to wit, a product deficient in milk fat and high in moisture, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and had been substituted wholly or in part for the said article. Adulteration was alleged for the further reason that a valuable constituent of the said article, to wit, butterfat, had been in part abstracted therefrom.

On November 10, 1922, the North American Creamery Co., Paynesville, Minn., having entered an appearance as claimant for the property and having filed a satisfactory bond in conformity with section 10 of the act, judgment of condemnation was entered, and it was ordered by the court that the product might be released to said claimant upon payment of the costs of the proceedings.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11095. Adulteration and misbranding of olive oil. U. S. v. Angelo Papagelis and Christopher Papagelis (Italy Commercial Co.). Pleas of guilty. Fine, \$50. (F. & D. No. 16569. I. S. No. 5549-t.)**

On September 12, 1922, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Angelo Papagelis and Christopher Papagelis, copartners, trading as Italy Commercial Co., New York, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on or about January 27, 1922, from the State of New York into the State of Rhode Island, of a quantity of olive oil which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted chiefly of cottonseed oil with no appreciable amount of olive oil. Examination of 14 cans of the article by said bureau showed an average volume of 0.973 gallon.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, cottonseed oil, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in large part for olive oil which the said article purported to be.

Misbranding was alleged for the reason that the statements in large type, to wit, "Olio Sopraffino Qualita Superiore Olive Tripolitania" and "Net Contents Full Gallon," not corrected by the statement in inconspicuous type, "cotton seed and," together with the designs and devices of Italian flags, medals, and olive branches, borne on the cans containing the article, regarding the said article and the ingredients and substances contained therein, were false and misleading in that the said statements represented that the article was olive oil, that it was a foreign product, to wit, an olive oil produced in the kingdom of Italy, and that each of the said cans contained one full gallon net of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was olive oil, that it was a foreign product, to wit, an olive oil produced in the kingdom of Italy, and that each of the said cans contained one full gallon net of the article, whereas, in truth and in fact, it was not olive oil, but was a mixture composed in very large part of cottonseed oil, it was not a foreign product, but was a domestic product, to wit, an article produced in the United States of America, and each of said cans did not contain one full gallon net of the article, but did contain a less amount. Misbranding was alleged for the further reason that the article was a mixture composed in very large part of cottonseed oil prepared in imitation of and offered for sale and sold under the distinctive name of another article, to wit, olive oil. Misbranding was alleged for the further reason that the statements, designs, and devices borne on the said cans purported the article to be a foreign product when not so, and for the

reason that it was falsely branded as to the country in which it was manufactured and produced, in that it was branded as an article manufactured and produced in the kingdom of Italy, whereas it was an article manufactured and produced in the United States of America. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On October 16, 1922, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$50.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11096. Misbranding of Orange Blossom female suppositories. U. S. v. 56 Boxes of Orange Blossom Female Suppositories. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 16665. S. No. C-3722.)**

On July 25, 1922, the United States attorney for the Northern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 56 boxes of Orange Blossom female suppositories, remaining unsold at Sioux City, Iowa, alleging that the article had been shipped by Dr. J. A. McGill & Co., Chicago, Ill., on or about November 17, 1921, and transported from the State of Illinois into the State of Iowa, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the suppositories consisted essentially of cocoa butter, petrolatum, boric acid, sodium sulphate, and a little flour.

Misbranding of the article was alleged in substance in the libel for the reason that the statements appearing in the circular accompanying the said article, regarding its curative and therapeutic effects, and which were quoted in the said libel in part, as follows, " \* \* \* for Diseases Peculiar To Women \* \* \* Female Weakness \* \* \* In cases of Pregnancy, the Suppositories may be safely used up to the fourth month \* \* \* consequently relieving the patient of much suffering at child-birth. \* \* \* In cases of Change of Life, the Suppositories will relieve the organ of the morbid conditions \* \* \* Nervous \* \* \* headache, backache, irritation of the stomach, spinal irritation, pain between the shoulders, distressing sensation in the back of the head, nape of the neck, and numbness and coldness of the extremities. In these cases the Suppositories will give relief by their action on the womb. \* \* \* for \* \* \* Inflammation, Congestion and Falling of the Womb, Anteversion, Retroversion and Prolapsus, Ulceration, Leucorrhoea, Profuse and Difficult Menstruation \* \* \*," were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed in the said circular.

On November 3, 1922, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11097. Adulteration of shell eggs. U. S. v. 30 Cases of Eggs. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 16738. I. S. No. 3855-v. S. No. C-3706.)**

On or about July 14, 1922, the United States attorney for the Northern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 30 cases of eggs at Sioux City, Iowa, alleging that the article had been shipped by the Wynot Cash Store, Wynot, Nebr., on or about July 8, 1922, and transported from the State of Nebraska into the State of Iowa, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy animal substance, for the further reason that it consisted in whole or in part of a decomposed animal substance, and for the further reason that it consisted in part of a putrid animal substance.

On November 6, 1922, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11098. Adulteration and misbranding of butter. U. S. v. 13 Tubs of Butter. Decree of condemnation and forfeiture. Product released under bond.** (F. & D. No. 16776. I. S. No. 1607-v. S. No. E-4149.)

On August 28, 1922, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel of information praying the seizure and condemnation of 13 tubs of butter, remaining in the original unbroken packages at Boston, Mass., alleging that the article had been shipped by D. A. Bentley & Son, Saginaw, Mich., on or about June 27, 1922, and transported from the State of Michigan into the State of Massachusetts, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that a substance, to wit, excessive water, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and had been substituted in whole or in part for the said article, and for the further reason that a valuable constituent of the article, to wit, butterfat, had been in part abstracted therefrom.

Misbranding was alleged for the reason that the article was an imitation of and offered for sale under the distinctive name of another article.

On November 6, 1922, the Goldsmith Stockwell Co., Boston, Mass., having entered an appearance as claimant for the property and having filed a satisfactory bond in conformity with section 10 of the act, judgment of condemnation was entered, and it was ordered by the court that the product might be released to said claimant upon payment of the costs of the proceedings.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11099. Adulteration and misbranding of butter. U. S. v. 117 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond.** (F. & D. No. 16799. I. S. No. 45-v. S. No. E-4165.)

On September 7, 1922, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 117 tubs of butter, remaining unsold in the original unbroken packages at New York, N. Y., consigned by the Cumberland Valley Creamery, Inc., Nashville, Tenn., alleging that the article had been shipped on or about June 28, 1922, and transported in interstate commerce into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that a valuable constituent of the said article, to wit, butterfat, had been in part abstracted therefrom.

Misbranding was alleged for the reason that the article was an imitation of and offered for sale under the distinctive name of another article.

On October 28, 1922, the Cumberland Valley Creamery, Inc., Nashville, Tenn., claimant, having admitted the allegations of the libel and consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$2,000, in conformity with section 10 of the act, conditioned in part that the product be reconditioned under the supervision of and to the satisfaction of this department.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11100. Adulteration and misbranding of kidney beans. U. S. v. 90 Cases, et al. of Kidney Beans. Consent decrees of condemnation and forfeiture. A portion of the product ordered released under bond and the remainder destroyed.** (F. & D. Nos. 12178, 12179, 12180, 12181, 12235. I. S. Nos. 7353-r, 7354-r, 7355-r, 7356-r, 7357-r, 12468-r. S. Nos. C-1758, C-1759, C-1760, C-1761, C-1762, C-1817.)

On February 19 and March 5, 1920, respectively, the United States attorney for the Southern District of Ohio, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 351 cases of kidney beans, remaining unsold in part at Dayton and in part at Greenville, Ohio, consigned by the George Van Camp & Sons Co., Westfield, Ind., between the dates of November 4, 1919, and January 23, 1920, alleging that the article had been shipped from Westfield, Ind., and transported from the State of Indiana into the State of Ohio, and charging adulteration and misbranding in violation of the Food and



Drugs Act. The article was labeled in part: "Geo. Van Camp's Special Red Kidney Beans Packed By Geo. Van Camp & Sons Co. Westfield, Ind."

Adulteration of the article was alleged in the libels for the reason that long cranberry beans had been mixed and packed with and substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the statement appearing on the label, "Red Kidney Beans," was false and misleading and deceived and misled the purchaser when applied to long cranberry beans. Misbranding was alleged for the further reason that the article was an imitation of and was sold under the distinctive name of another article.

On December 31, 1921, and October 28, 1922, respectively, the George Van Camp & Sons Co., Westfield, Ind., claimant, having admitted the allegations of the libels and consented to the entry of decrees, judgments of condemnation and forfeiture were entered, and it was ordered by the court that 340 cases of the product be released to the said claimant upon payment of the costs of the proceedings and the execution of bonds in the aggregate sum of \$400, in conformity with section 10 of the act, conditioned in part that it be relabeled under the supervision of this department, and that 11 cases of the said product be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

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# United States Department of Agriculture.

## SERVICE AND REGULATORY ANNOUNCEMENTS.

BUREAU OF CHEMISTRY.

### SUPPLEMENT.

N. J. 11101-11150.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., February 27, 1923.]

### NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

**11101. Adulteration and misbranding of chocolate. U. S. v. 445 Boxes of Chocolate. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 15160. I. S. Nos. 15437-t, 15438-t, 15441-t, 15442-t, 15443-t. S. No. E-3651.)

On November 29, 1921, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 445 boxes of chocolate, remaining unsold in the original unbroken packages at Paterson, N. J., alleging that the article had been shipped by the J. & A. Baker Chocolate Co., Inc., New York, N. Y., between the dates of August 27 and September 6, 1921, and transported from the State of New York into the State of New Jersey, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled variously in part: "60 2 In 1 Bars 60 Vanilla Sweet Chocolate J. & A. Baker Chocolate Co., Inc. \* \* \* New York City;" "120 Cigars 120 Sweet Milk Chocolate;" "Sweet Chocolate Contains Fat Free Milk;" "Special Process Sweet Chocolate With Fat Free Milk;" "120 'Panels' 120 Sweet Vanilla Chocolate."

Adulteration of the article was alleged in the libel for the reason that an excessive quantity of cocoa shells had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength and had been substituted in part for chocolate which the article purported to be, and for the further reason that an excessive quantity of cocoa shells had been mixed with the article in a manner whereby its damage and inferiority were concealed.

Misbranding was alleged in substance for the reason that the respective statements, to wit, "Vanilla Sweet Chocolate," "Sweet Milk Chocolate," "Sweet Chocolate Contains Fat Free Milk A Delicious And Nutritious Confection Purity Guaranteed," "Sweet Chocolate," "Special Process Sweet Chocolate With Fat Free Milk," and "Sweet Vanilla Chocolate," borne on the boxes containing the article or on the retail pieces of chocolate, as the case might be, regarding the said article and the ingredients contained therein, were false and misleading in that the said statements represented that the article was chocolate, to wit, an article pure and free from adulteration, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that the said article was chocolate, to wit, an article pure and free from adulteration, whereas, in truth and in fact,

the said article was not chocolate, but was an adulterated article containing an excessive quantity of cocoa shells. Misbranding was alleged for the further reason that the article was a product containing an excessive quantity of cocoa shells, prepared in imitation of and offered for sale under the distinctive name of another article, to wit, chocolate.

On June 23, 1922, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11102. Misbranding of toast and tea rusk. U. S. v. 86 Cases of Famous American Toast and 90 Cases of Dutch Tea Rusk. Consent decrees of condemnation and forfeiture. Products released under bond. (F. & D. No. 15630. I. S. Nos. 3102-t, 3103-t. S. No. C-3323.)**

On November 23, 1921, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 90 cases of Dutch tea rusk and 96 cases of Famous American toast, remaining unsold at Cincinnati, Ohio, consigned by the Michigan Tea Rusk Co., Holland, Mich., between the dates of September 24 and October 21, 1921, alleging that the articles had been shipped from Holland, Mich., and transported from the State of Michigan into the State of Ohio, and charging misbranding in violation of the Food and Drugs Act, as amended. The articles were labeled in part, respectively: "Dutch Tea Rusk \* \* \* Contents Average 12 Rusks 7 Ounces \* \* \* Made by The Michigan Tea Rusk Co. Holland Mich.;" "Famous American Toast \* \* \* Net Weight 5 Ounces."

Examination of samples of the articles by the Bureau of Chemistry of this department showed that the packages contained less than the quantity declared on the labels.

Misbranding of the articles was alleged in the libels for the reason that they were contained in packages on which the quantity of the contents was not plainly and conspicuously marked.

On December 7, 1921, the Michigan Tea Rusk Co., Holland, Mich., claimant, having admitted the allegations of the libels and consented to the entry of decrees, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the products be released to the said claimant upon payment of the costs of the proceedings and the execution of bonds in the aggregate sum of \$1,000, in conformity with section 10 of the act, conditioned in part that the products be relabeled to the satisfaction of this department.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11103. Adulteration and misbranding of apple juice. U. S. v. 288 Barrels of Alleged Apple Juice. Decree ordering release of product under bond to be relabeled. (F. & D. No. 15936. I. S. Nos. 4329-t, 4330-t. S. No. C-3402.)**

On January 23, 1922, the United States attorney for the Western District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 288 barrels of alleged apple juice at Rogers, Ark., alleging that the article had been shipped by the National Fruit Canning Co., Seattle, Wash., in part on or about December 7 and in part on or about December 10, 1921, and transported from the State of Washington into the State of Arkansas, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance in the libel for the reason that products other than apple juice, that is to say, water and salt, had been mixed with and added to the said apple juice and had been used wholly or in part in lieu thereof.

Misbranding was alleged in substance for the reason that the article was offered for sale under the distinctive name of another article.

On May 5, 1922, the Ozark Cider & Vinegar Co., Rogers, Ark., claimant, having admitted the allegations of the libel and having offered a good and sufficient bond in conformity with section 10 of the act, it was ordered by the court that the bond be approved and filed, that the product be delivered to the claimant on condition that it be relabeled under the supervision of this department, and that the said claimant pay the costs of the proceedings.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*



**11104. Adulteration and misbranding of olive oil. U. S. v. Angelas Papagelis and Chris Papagelis (Italy Commercial Co.). Plea of guilty. Fine, \$50.** (F. & D. No. 16228. I. S. Nos. 5074-t, 5081-t, 5082-t, 5084-t, 5401-t, 5495-t, 5496-t, 5497-t, 6617-t, 13751-t.)

On September 12, 1922, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Angelas Papagelis and Chris Papagelis, copartners, trading as the Italy Commercial Co., New York, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, in various consignments, namely, on or about March 31, 1921, from the State of New York into the State of Massachusetts, on or about May 7, 10, 11, and 12, and June 27, 1921, from the State of New York into the State of Connecticut, and on or about May 14, 1921, from the State of New York into the State of Michigan, of quantities of alleged olive oil which was adulterated and misbranded. The article was labeled in part, variously: "Quality Superiore Olio Puro Garantito Sotto Qual'sasi Analisi Chimica 1 Gallon Net" (or " $\frac{1}{2}$  Gallon Net" or " $\frac{1}{4}$  Gallon Net"); "Finest Quality Table Oil Tipo Termini Imerese Cottonseed Oil Slightly Flavored With Olive Oil 1 Gallon Net" (or " $\frac{1}{2}$  Gallon Net"); "Huile D'Olive Extra Vierge Spain;" "Finest Quality Table Oil Insuperabile Termini Imerese Type Net Contents One Quart;" "Lucca Brand Lucca Olio Soprafino D'Olive 1 Gallon Net."

Analysis of a sample of the article labeled "Huile D'Olive Extra Vierge Spain" by the Bureau of Chemistry of this department showed that it was composed in part of cottonseed oil. Analyses of the remaining brands by said bureau showed that they were mixtures composed in part of cottonseed oil, and that the cans containing them were short measure.

Adulteration of the oil labeled "Huile D'Olive Extra Vierge Spain" and "Lucca Brand Olio Soprafino D'Olive," respectively, was alleged in the information for the reason that a substance, to wit, cottonseed oil, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength and had been substituted in part for olive oil, which the said article purported to be. Adulteration of the remaining brands of oil was alleged for the reason that a substance, to wit, cottonseed oil, had been substituted in whole or in part for olive oil, which the article purported to be.

Misbranding of the article was alleged for the reason that the statements, to wit, "Qualita Superiore," "Olio Puro," "Garantito," and "1 Gallon Net," " $\frac{1}{2}$  Gallon Net," or " $\frac{1}{4}$  Gallon Net," together with the designs and devices of the map of Italy, the Italian colony of Tripolitania, the Italian flag, and a woman draped in Italian colors, borne on the cans containing a portion of the said article, the statements, to wit, "Finest Quality Table Oil," "Tipo Termini Imerese," and "1 Gallon Net" or " $\frac{1}{2}$  Gallon Net," or "Finest Quality Table Oil," "Insuperabile Termini Imerese Type," "Net Contents One Quart," together with the design and device of an olive tree with natives gathering olives, not corrected by the statement in inconspicuous type, "Cottonseed Oil Slightly Flavored With Olive Oil," borne on the cans containing a portion of the said article, the statement, to wit, "Huile D'Olive Extra Vierge Spain," borne on the barrel containing a portion of the said article, and the statements, to wit, "Lucca Brand," "Lucca Olio Soprafino D'Olive," and "1 Gallon Net," together with the design showing olive branches and olive oil containers, borne on the cans containing the remainder of the said article, regarding the article, and the ingredients and substances contained therein, were false and misleading in that the said statements represented that the article was olive oil, that it was a foreign product, to wit, an olive oil produced in the kingdom of Italy or in the kingdom of Spain, as the case might be, and that each of the cans containing the greater portion of the article contained one gallon, one-half gallon, one-quarter gallon, or one quart net, as the case might be, of the said article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was olive oil, that it was a foreign product, to wit, an olive oil produced in the kingdom of Italy or in the kingdom of Spain, as the case might be, and that each of the cans containing the greater portion of the said article contained one gallon, one-half gallon, one-quarter gallon, or one quart net, as the case might be, of the article, whereas, in truth and in fact, it was not olive oil, but was a mixture composed in whole or in part of cottonseed oil, it was not a foreign product, to wit, an olive oil produced in the kingdom of Italy or in the kingdom of Spain, as the case might be, but was a domestic product, to wit, an article produced in



the United States of America, and each of the cans containing the greater portion of the article did not contain one gallon, one-half gallon, one-quarter gallon, or one quart, as the case might be, of the said article, but did contain a less amount. Misbranding was alleged for the further reason that the statements, designs, and devices borne on the cans or on the barrel containing the article purported the said article to be a foreign product when not so. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the packages.

On October 16, 1922, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$50.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11105. Misbranding of Mydyl antiseptic wafers. U. S. v. 42 Packages of Mydyl Antiseptic Wafers. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 16338. S. No. C-3646.)**

On May 23, 1922, the United States attorney for the Southern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 42 packages of Mydyl antiseptic wafers, remaining in the original unbroken packages at Peoria, Ill., alleging that the article had been shipped by Charles S. Ruckstuhl, from St. Louis, Mo., January 1, 1922, and transported from the State of Missouri into the State of Illinois, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Box and circular) " \* \* \* of great value in the treatment of Vaginitis, Urethritis, Menorrhagia, Endometritis, Parametritis, Cervicitis and Gonorrhea \* \* \* reduce inflammation caused by the different diseases of the generative tract \* \* \* germicidal \* \* \* a sure preventive of complications. Aggravated cases of Cystitis;" (box) " \* \* \* to relieve Nervousness. \* \* \* For aggravated cases of uterine disorder \* \* \* overcoming the inflammation caused by an excess of alkali or acid \* \* \* in aggravated cases of Erysipelas."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the wafers were composed of borax and starch.

Misbranding of the article was alleged in the libel for the reason that the above-quoted statements regarding the curative and therapeutic effect of the said article were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed.

On November 21, 1922, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11106. Adulteration and misbranding of ginger. U. S. v. 75 Bags and 75 Bags of Ginger. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 16388, 16389. S. No. E-3879.)**

On June 14, 1922, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 150 bags of ginger, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped from Leith, Scotland, on or about January 23, 1922, and transported from a foreign country into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that a valuable constituent of the said article, ginger resins, had been wholly or in part abstracted.

Misbranding was alleged for the reason that it was an imitation of another article, to wit, ginger root.

On November 16, 1922, Frame & Co., Leith, Scotland, having filed a claim and stipulation for costs but having filed no answer and being in default, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal and that said claimant pay the costs of the proceedings.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11107. Adulteration of chloroform. U. S. v. 17 Cans of Chloroform. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 16603. I. S. No. 14140-t. S. No. W-1146.)**

On July 10, 1922, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 17 cans of chloroform, remaining unsold in the original unbroken packages at Fort Morgan, Colo., alleging that the article had been shipped from New York, N. Y., on or about April 25, 1922, and transported from the State of New York into the State of Colorado, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Poison  $\frac{1}{4}$  Pound \* \* \* For Anaesthesia."

Analysis of a sample of the article, by the Bureau of Chemistry of this department, showed that it was turbid, left a foreign odor upon evaporation, and contained chlorid, impurities decomposable by sulphuric acid, and chlorinated decomposition products.

Adulteration of the article was alleged in the libel for the reason that it was sold under and by a name recognized in the United States Pharmacopœia, and differed from the standard of strength, quality, and purity as determined by the test laid down in said Pharmacopœia official at the time of investigation.

On November 20, 1922, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal, such destruction to be carried out by the delivery of the said product to this department to be used for experimental purposes.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11108. Adulteration of shell eggs. U. S. v. 26 Cases of Eggs. Default decree of condemnation, forfeiture, and sale. (F. & D. No. 16790. I. S. No. 7582-v. S. No. W-1202.)**

On August 11, 1922, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 26 cases of eggs, remaining unsold in the original unbroken packages at Denver, Colo., consigned by the Naponee Equity Exchange, Naponee, Nebr., alleging that the article had been shipped from Naponee, Nebr., on or about August 7, 1922, and transported from the State of Nebraska into the State of Colorado, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid animal substance.

On November 20, 1922, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the bad portion be destroyed and the good portion sold by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11109. Adulteration of tomato catsup. U. S. v. 7 Cases of Tomato Catsup. Default decree ordering destruction of the product. (F. & D. No. 16808. I. S. No. 1313-v. S. No. E-4172.)**

On September 12, 1922, the United States attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 7 cases, each containing 6 No. 10 cans, of tomato catsup, remaining unsold in the original packages at Norfolk, Va., alleging that the article had been shipped by the S. J. Van Lill Co., Baltimore, Md., on or about July 27, 1922, and transported from the State of Maryland into the State of Virginia, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Somerset Club Brand Catsup Contents 6 Lbs. 6 Ozs."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

On November 15, 1922, no claimant having appeared for the property, judgment of the court was entered ordering the destruction of the property by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*



**11110. Adulteration and misbranding of oats. U. S. v. Adolph Kempner Co., a Corporation. Plea of guilty. Fine, \$50. (F. & D. No. 8147. I. S. Nos. 627-1, 4215-1.)**

On April 30, 1917, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Adolph Kempner Co., a corporation, Chicago, Ill., alleging shipment by said company, in violation of the Food and Drugs Act, on or about February 19, 1916, from the State of Illinois into the State of New York, of a quantity of oats which were adulterated and misbranded.

Examination of samples of the article by the Bureau of Chemistry of this department showed that it contained barley and burnt oats.

Adulteration of the article was alleged in the information for the reason that a certain substance, to wit, barley, had been substituted in part for oats which the said article purported to be, for the further reason that a certain substance, to wit, burnt oats, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and for the further reason that the said article consisted in part of a decomposed vegetable substance.

Misbranding was alleged for the reason that the article was offered for sale under the distinctive name of another article, to wit, oats, whereas, in fact and in truth, it was not oats, but was a mixture of oats and barley.

On November 20, 1922, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11111. Misbranding of Juven pills. U. S. v. 5 Packages of Juven Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13550. S. No. C-2313.)**

On August 31, 1920, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 5 packages of Juven pills at Chicago, Ill., alleging that the article had been shipped by the C. I. Hood Co., Lowell, Mass., February 16, 1920, and transported from the State of Massachusetts into the State of Illinois, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills contained quinine, nux vomica, celery, asafetida, and compounds of iron and manganese.

Misbranding of the article was alleged in substance in the libel for the reason that certain statements appearing in the circular accompanying the said article, regarding the curative and therapeutic effects of the article, to wit, "Juven Pills [are intended to] meet the needs of men and women suffering from the strenuous life of today or from what may waste the vitality and reduce the strength," were false and fraudulent in that the said statements were applied to the article so as to represent falsely and fraudulently and to create in the minds of purchasers thereof the impression and belief that it was effective as a remedy for the various diseases, ailments, and afflictions arising from a strenuous life or from what may waste the vitality and reduce the strength, whereas, in truth and in fact, it contained no ingredient or combination of ingredients capable of producing the effects claimed.

On November 23, 1922, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11112. Misbranding of apples. U. S. v. John B. Frey Co., a Corporation. Pleas of guilty. Fines, \$50. (F. & D. Nos. 14725, 16225. I. S. Nos. 5696-t, 5857-t, 5858-t.)**

On July 12, 1921, and July 14, 1922, respectively, the United States attorney for the Western District of New York, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district informations against the John B. Frey Co., a corporation, Rochester, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, in various consignments, namely, on or about October 6, 1920, and March 14, 1921, respectively, from the State of New York into the State



of Pennsylvania, of quantities of apples, a portion of which were contained in baskets and the remainder of which were contained in barrels, which in each case were misbranded. The portion of the article contained in the said barrels was labeled in part: "New York State Standard A Grade \* \* \* Baldwin." The baskets containing the remainder of the article were unlabeled.

Misbranding of the article was alleged in the informations for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On or about November 22, 1922, pleas of guilty to the informations were entered on behalf of the defendant company, and the court imposed fines in the aggregate sum of \$50.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11113. Adulteration and misbranding of flavor of lemon and flavor of vanilla. U. S. v. Lexington Wholesale Drug Co., a Corporation. Plea of guilty. Fine, \$50. (F. & D. No. 15837. I. S. Nos. 1504-t, 2828-t, 2831-t, 10794-t, 10795-t.)**

On May 20, 1922, the United States attorney for the Eastern District of Kentucky, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Lexington Wholesale Drug Co., a corporation, Lexington, Ky., alleging shipment by said company, in violation of the Food and Drugs Act, in various consignments, on or about February 14 and 24, 1921, respectively, from the State of Kentucky into the State of Alabama, and on or about March 4, 1921, from the State of Kentucky into the State of Texas, of quantities of flavor of lemon and flavor of vanilla which were adulterated and misbranded. The articles were labeled in part: (Bottle) "Star Brand Flavor of Lemon" (or "Flavor of Vanilla") "\* \* \* Put up by Lexington Wholesale Drug Co. Manufacturers of Drugs Lexington, Ky."

Analyses of samples of the flavor of lemon by the Bureau of Chemistry of this department showed that it was a dilute alcoholic solution containing only a trace of citral. Analyses of samples of the flavor of vanilla by said bureau showed that it was a solution of vanillin and coumarin, artificially colored, with not over 10 per cent of vanilla extract.

Adulteration of the flavor of lemon was alleged in the information for the reason that a mixture composed in part of dilute alcohol, which contained only a trace of oil of lemon, if any, had been substituted in whole or in part for flavor of lemon which the said article purported to be.

Adulteration of the flavor of vanilla was alleged for the reason that a mixture, to wit, an alcoholic solution of vanillin and coumarin, artificially colored, had been substituted in whole or in part for flavor of vanilla which the said article purported to be. Adulteration was alleged for the further reason that it was an article inferior to flavor of vanilla, to wit, a mixture composed of an alcoholic solution of vanillin and coumarin prepared in imitation of flavor of vanilla, and was artificially colored so as to simulate the appearance of flavor of vanilla and in a manner whereby its inferiority to flavor of vanilla was concealed.

Misbranding was alleged for the reason that the statements, to wit, "Flavor of Lemon" and "Flavor of Vanilla," borne on the labels attached to the bottles containing the respective articles, regarding the said articles and the ingredients and substances contained therein, were false and misleading in that they represented that the articles consisted wholly of flavor of lemon or flavor of vanilla, as the case might be, and for the further reason that the articles were labeled as aforesaid so as to deceive and mislead the purchaser into the belief that they consisted wholly of flavor of lemon or flavor of vanilla, as the case might be, whereas, in truth and in fact, they did not so consist, but the so-called flavor of lemon consisted of a mixture composed in part of dilute alcohol which contained only a trace of oil of lemon, if any, and the so-called flavor of vanilla consisted of an alcoholic solution of vanillin and coumarin artificially colored. Misbranding was alleged for the further reason that the articles were imitations of and were offered for sale and sold under the distinctive names of other articles, to wit, flavor of lemon or flavor of vanilla, as the case might be.

On October 19, 1922, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11114. Adulteration of coriander seed. U. S. v. 1 Drum of Ground Coriander Seed. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 16115. S. No. C-3517.)

On April 19, 1922, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1 drum of ground coriander seed, remaining unsold in the original unbroken drum in the possession of the Brecht Co., St. Louis, Mo., alleging that the article had been shipped from Jacksonville, Fla., on or about March 22, 1922, and transported from the State of Florida into the State of Missouri, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Brecht Company, St. Louis."

Adulteration of the article was alleged in the libel for the reason that sand and dirt had been mixed and packed with and substituted wholly or in part for the article.

On September 18, 1922, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11115. Misbranding of Craemer's calculus corrective and Craemer's celebrated compound. U. S. v. 6 Dozen Bottles and 1 Dozen Bottles of Craemer's Calculus Corrective and 11 Bottles of Craemer's Celebrated Compound. Default decrees of condemnation, forfeiture, and destruction.** (F. & D. Nos. 16329, 16336, 16337. S. Nos. C-3635, C-3642, C-3647.)

On May 18 and 23, 1922, respectively, the United States attorney for the Southern District of Illinois, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 7 dozen bottles of Craemer's calculus corrective and 11 bottles of Craemer's celebrated compound, remaining in the original unbroken packages at Peoria and Rock Island, Ill., respectively, alleging that the former had been shipped by the William Craemer Medicine Co., St. Louis, Mo., in part May 2, 1921, and in part February 8, 1922, and that the latter had been invoiced by the William Craemer Medicine Co., March 18, 1922, and that the said articles had been transported from the State of Missouri into the State of Illinois, and charging misbranding in violation of the Food and Drugs Act, as amended. A portion of the calculus corrective was labeled in part: (Carton, in English and German and Circular No. 1 in English) "Calculus Corrective \* \* \* for Gall Stones, Stones in the Kidneys, Stones in the Urinary Bladder or Gravel \* \* \* Sallow Complexion;" (Circular No. 1) "A Stomach, Kidney and Bladder Medicine \* \* \* I was afflicted with \* \* \* Gall Stone Colic \* \* \* I took \* \* \* the remedy \* \* \* to get entirely rid of Gall Stones. My recovery \* \* \* was complete. \* \* \* The persistent use of the Remedy, however, has prevented the formation of new Stones \* \* \* obstruction of the gall ducts \* \* \* Calculus Corrective has in most cases done away with these obstructions, no matter by what they were caused. \* \* \* continue to use our Calculus Corrective as a preventive after you consider yourself perfectly cured. \* \* \* it puts the stomach in order, for it is a stomach medicine that was \* \* \* never excelled;" (Circular No. 2) "Calculus Corrective or \* \* \* Remedy for Gallstones, Stones in the Kidneys and Urinary Bladder \* \* \* By its use the smaller Stones \* \* \* were made semiliquid. The larger ones were softened and crumbled or broken up into small pieces. It has also removed other Obstructions of most all kinds from the Gall- and Urineducts \* \* \* making the ducts expandible. \* \* \* Prevents the Formation of New Stones. \* \* \* an Excellent Liver, Kidney and Stomach Medicine \* \* \* Jaundice \* \* \* Bilious Fever, Backache, Aching of the Bones and Limbs. Headache, Dizziness \* \* \* Desire to Vomit, Tiredness, Cold Sweat \* \* \* Urinary Troubles, Sallow Complexion, Itching and Eruption on the Skin. \* \* \* I have used your Calculus Corrective up to now and have been cured of my Gallstones \* \* \* I have used nine bottles of Craemer's Calculus Corrective and find it the best cure for Gallstones ever used." The remainder of the calculus corrective was labeled in part: (Bottle and carton) "Calculus Corrective \* \* \* for Gall Stones, Stones in the Kidneys, Stones in the Urinary Bladder or Gravel \* \* \* Sallow Complexion;" (bottle) "During an attack of Gall Stone Colic, take \* \* \* every 2 or 3 hours. \* \* \* the persistent use of the remedy will prevent the



formation of the various Calculi or Stones named." The celebrated compound was labeled in part: (Bottle and carton) "For \* \* \* Gall Stones, Stones in the Kidneys, Stones in the Urinary Bladder, Liver, Kidney, Bladder, Stomach and Bowel Complaints \* \* \* Thickened Bile, Bilious Colic \* \* \* Sallow Complexion, Dizziness, Renal or Kidney Colic \* \* \* Painful Urination, Loss of Appetite."

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that each was an aqueous solution of sodium, potassium, ammonium, and lithium phosphate, citrate, salicylate, and chloride and extract of ginger, sweetened with saccharin and colored with caramel.

Misbranding of the articles was alleged in the libels for the reason that the above-quoted statements regarding the curative and therapeutic effects of the said articles were false and fraudulent, since they contained no ingredients or combinations of ingredients capable of producing the effects claimed.

On November 21, 1922, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the products be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11116. Adulteration of crab meat. U. S. v. 4 Cases of Crab Meat. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 16379. I. S. No. 4658-t. S. No. C-3651.)**

On June 6, 1922, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 4 cases of crab meat, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped by Ellson & Malcolm, New York, N. Y., on or about March 22, 1922, and transported from the State of New York into the State of Illinois, and from thence reshipped into the State of Missouri, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: (Box) "48 Cans  $\frac{1}{2}$  Lb. Flat Gold Dollar Brand Alaska Crab Meat Packed in Alaska, Ellson and Malcolm Halves."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in large part of a filthy, decomposed, and putrid animal substance.

On September 18, 1922, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11117. Adulteration of chloroform. U. S. v. 12 Tins of Chloroform. Default decree ordering destruction of the product. (F. & D. No. 16484. S. No. E-3997.)**

On June 28, 1922, the United States attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 12 tins of chloroform, remaining unsold in the original unbroken packages at South Norfolk, Va., alleging that the article had been shipped on or about May 8, 1922, and transported from the State of New York into the State of Virginia, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Chloroform for anesthesia."

Analysis of a sample of the article, by the Bureau of Chemistry of this department, showed that it was turbid, left a foreign odor upon evaporation, and contained impurities decomposable by sulphuric acid and chlorinated decomposition products.

Adulteration of the article was alleged in substance in the libel for the reason that it was sold under and by a name recognized in the United States Pharmacopeia, and differed from the standard of strength, quality, and purity required by the said Pharmacopeia.

On November 17, 1922, no claimant having appeared for the property, judgment of the court was entered ordering that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*



**11118. Adulteration of coriander seed. U. S. v. 5 Sacks of Coriander Seed. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 16506. S. No. C-3664.)**

On June 29, 1922, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 5 sacks of coriander seed, remaining unsold in the original unbroken packages at St. Louis, Mo., in possession of the C. F. Blanke Tea & Coffee Co., alleging that the article had been shipped from Fort Worth, Tex., on or about June 10, 1922, and transported from the State of Texas into the State of Missouri, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Coriander Seed, C. F. Blanke Tea and Coffee Company, St. Louis, Missouri."

Adulteration of the article was alleged in the libel for the reason that it consisted wholly or in part of a filthy, decomposed, and putrid vegetable substance.

On September 20, 1922, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11119. Misbranding of Sangvin. U. S. v. 5½ Dozen Bottles and 52 Bottles of Sangvin. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 16892, 16893. I. S. Nos. 2544-v, 2545-v. S. Nos. E-4200, E-4201.)**

On October 26, 1922, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 9½ dozen bottles of Sangvin, remaining in the original unbroken packages at Philadelphia, Pa., consigned by Dr. M. Spiegel & Sons, Albany, N. Y., alleging that the article had been shipped from Albany, N. Y., in part on or about January 10, 1922, and in part on or about June 30, 1922, and transported from the State of New York into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it was composed essentially of plant drugs including a laxative drug, sugar, alcohol, glycerin, and water.

Misbranding of the article was alleged in substance in the libels for the reason that the labeling contained certain statements, designs, and devices regarding the curative or therapeutic effects of the said article as follows, (bottle) "Sangvin \* \* \* For Purifying the Blood And Strengthening the Nerves \* \* \* recommended for Stomach, Liver and Kidney Troubles. Scrofula, Tetters, Hives and other Skin Diseases arising from impure blood," (carton, in English) "Sangvin \* \* \* For Purifying the Blood and Strengthening the Nerves For Stomach, Liver and Kidney Troubles. Scrofula, Tetters, Hives and other skin eruptions arising from impure blood. \* \* \* keep up the treatment \* \* \* until health and strength are restored. \* \* \* to Build Up. The Run Down System \* \* \* Sick Headache Exhausted Feeling \* \* \* Lack Of Ambition Loss Of Appetite Sleeplessness Eczema, Boils, Tetters, Sycosis, Pimples and other Skin Eruptions arising from Impure Blood Nursing mothers, invalids and old people will find Sangvin an excellent tonic. \* \* \* Purify The Blood and Strengthen The Nerves \* \* \* preventing and eliminating diseases arising from impure blood. Nervousness, dyspepsia, disturbed sleep, poor appetite, debilitated tissues, etc," (carton, in foreign languages) "For purifying the blood and strengthening the nerves \* \* \* recommended for maladies of the stomach, liver and kidneys \* \* \* scrofula, eruptions, and other skin affections arising from impure blood," (booklet, in English) "Sangvin for Blood and Nerves \* \* \* Sangvin \* \* \* For Purifying The Blood and Strengthening the Nerves \* \* \* for Stomach Liver and Kidney Troubles. \* \* \* Scrofula, Tetters and Hives or other skin diseases arising from impure blood. \* \* \* Blood and Nerve Tonic to build up the run-down system. \* \* \* cleanses the blood of impurities, strengthens the nerves, restores the debilitated tissues, makes good rich blood, induces refreshing sleep and improves the general health. \* \* \* Impure blood weakens the vitality, affects the nervous system, produces various skin disorders, and manifests itself in other ways. Many cases of insanity have been traced to impure blood. The Sooner You Take Sangvin the better off you will be. Don't wait until your disease becomes deep-seated. In its first stages one

bottle of Sangvin will put you on your feet again. It is used in thousands of homes with beneficial effect for kidney trouble, weak nerves, deranged stomach, and all diseases arising from and causing impure blood. Even in chronic cases \* \* \* this remedy is used with gratifying results. \* \* \* The Great Blood and Nerve Remedy For Sick headache. Catarrh. Lack of vigor or ambition \* \* \* Exhausted feeling. Loss of appetite. Sleeplessness. Malaria. La grippe. Indigestion. Kidney disorders. Stomach and liver complaint. Loss of weight \* \* \* Weakness. Nervousness. Scrofula. Sores. Ulcers. Humors. Abscesses. Carbuncles. Running sores. Pimples. Blotches. Hives. Eczema. Salt Rheum, Tetter or Scales. \* \* \* Remove the cause, purify the blood with Sangvin, and eliminate any of these diseases that may have taken hold of your system. \* \* \* It removes the cause which is at the foundation of these disorders, thereby restoring the general health. \* \* \* the many ills causing and arising from impure blood quickly disappear, and you again enjoy the blessing of perfect health. \* \* \* a tissue and strength builder. \* \* \* a valuable preparation for nursing mothers. \* \* \* Purify The Blood What You Need is Sangvin, a reconstructive agent to help nature build new tissues, and promote the circulation of pure, rich blood. With pure blood flowing in the veins skin diseases disappear, the cheeks lose their paleness and sallowness, the eyes become clear and bright. \* \* \* A sallow and pale complexion with a defective skin are a great stumbling block. Use Sangvin. It not only improves the skin but promotes the general health. \* \* \* It increases the vitality, overcomes exhaustion from overwork or worry, builds up the nervous system and acts as a general restorative. If there is an invalid or old person in your home, don't delay. Get a bottle of Sangvin. \* \* \* Skin Diseases assume a great variety of forms and are liable to attack any part of the body. \* \* \* If the blood is contaminated \* \* \* it brings to the surface boils, carbuncles, abscesses and other skin diseases. \* \* \* Purify The Blood and the ailments which are dependent on the blood will disappear. Scrofula is also the result of impure blood. \* \* \* It is an inflammation of the Bones And Joints, Breaking Out mostly in the glands of the neck and swellings. \* \* \* In order to ease or overcome this deep-seated and morbid disease its source must be searched. \* \* \* Pimples, the same as in other skin diseases, are the result of impure blood. \* \* \* blackheads form \* \* \* Use Sangvin. \* \* \* Don't wait until your pimples become chronic and incurable. The sooner you take Sangvin the better your chances are for overcoming these conditions. Eruptions, Postules, itching sores, redness or hives may be produced by certain disturbing foods or drinks. \* \* \* These conditions lie in the blood and in order to overcome them, regulate the digestion and purify the blood with Sangvin. There is nothing better. Eczema \* \* \* In this case the condition of the bowels and blood must be corrected before it becomes chronic, and the same treatment as for pimples is recommended. \* \* \* Erysipelas is an infectious disease of the skin and is attended with inflammation. \* \* \* This disease must be attended to promptly, otherwise a red spot is liable to develop into a monster sore. Purify the blood with Sangvin \* \* \* sick headache, nervous dyspepsia \* \* \* loss of appetite \* \* \* the heart \* \* \* kidney And Bladder Diseases. \* \* \* Unhealthy urine which passes from diseased kidneys into the bladder causes bladder trouble. \* \* \* Sangvin fulfills every hope in purifying the blood, strengthening the kidneys and overcoming these conditions. \* \* \* If you feel debilitated, run down or exhausted use Sangvin. It rebuilds the worn out tissues, promotes the action of the stomach, liver and kidneys, tones up the blood, and makes you well and strong" (some similar statements in foreign languages), which were false and fraudulent in that the said article would not produce the curative or therapeutic effects which purchasers were led to expect by the said statements, designs, and devices, and which were applied to the said article with a knowledge of their falsity for the purpose of defrauding purchasers thereof. Misbranding was alleged for the further reason that the following statements appearing in the said booklet, "The Pure Food And Drugs law requires that the percentage of deleterious substances and narcotics contained in medicines be stated on the label. None of these is stated on the label of Sangvin," were false and misleading.

On November 22, 1922, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*



**11120. Misbranding of olive oil. U. S. v. Peter Bougas, Peter Lamparis, and John Thodes (Greek Products Importing Co.). Pleas of guilty. Fine, \$50. (F. & D. No. 14041. I. S. Nos. 11810-r, 11811-r.)**

On April 19, 1921, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Peter Bougas, Peter Lamparis, and John Thodes, copartners, trading as the Greek Products Importing Co., Chicago, Ill., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on or about November 28, 1919, from the State of Illinois into the State of Wisconsin, of quantities of olive oil which was misbranded. The article was labeled in part: (Cans) "Contents  $\frac{1}{2}$  Gallon" (or "1 Quart") "Pure Olive Oil Gold Medal \* \* \* Victory Brand Greek Products Importing Co. Chicago, U. S. A."

Examination of samples of the article by the Bureau of Chemistry of this department showed that the said cans contained less than the quantity declared on the labels.

Misbranding of the article was alleged in substance in the information for the reason that the statements, to wit, "Contents  $\frac{1}{2}$  Gallon" and "Contents 1 Quart," borne on the respective-sized cans containing the said article, regarding the article, were false and misleading in that the said statements represented that each of the said cans contained one-half gallon or one quart of the article, as the case might be, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of said cans contained one-half gallon or one quart of the article, as the case might be, whereas, in truth and in fact, each of the said cans contained less than the amount declared on the said labels. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the packages.

On October 13, 1922, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$50.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11121. Adulteration of dates. U. S. v. Ludwig S. Nachman. Plea of guilty. Fine, \$100. (F. & D. No. 15059. I. S. No. 4142-t.)**

On January 25, 1922, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Ludwig S. Nachman, Chicago, Ill., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about September 22, 1920, from the State of Illinois into the State of Wisconsin, of a quantity of dates which were adulterated.

Examination of the article by the Bureau of Chemistry of this department showed that the dates were badly worm-eaten, moldy, and contaminated with a large amount of worm excreta and hairs.

Adulteration of the article was alleged in the information for the reason that it consisted in whole or in part of a filthy and decomposed vegetable or animal substance.

On November 9, 1922, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$100.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11122. Misbranding of cottonseed meal. U. S. v. Kershaw Oil Mill, a Corporation. Plea of guilty. Fine, \$200. (F. & D. No. 15565. I. S. Nos. 9085-t, 9283-t, 9284-t, 9285-t.)**

At the October, 1922, term of the United States District Court within and for the Western District of South Carolina, the United States attorney for said district, acting upon a report by the Secretary of Agriculture, filed in the district court aforesaid an information against the Kershaw Oil Mill, a corporation, Kershaw, S. C., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, in various consignments, namely, on or about January 25, and April 20, 21, and 22, 1921, respectively, from the State of South Carolina into the State of North Carolina, of quantities of cottonseed meal which was misbranded. The article was labeled in part: (Tag) "100 Pounds 'Palmetto Brand' Good Cotton Seed Meal Manufactured by Kershaw Oil Mill Kershaw, South Carolina."

Examination of the article by the Bureau of Chemistry of this department showed that the sacks contained less than the amount declared on the labeling thereof.



Misbranding of the article in each shipment was alleged in the information for the reason that the statement, to wit, "100 Pounds," borne on the tags attached to the sacks containing the article, regarding the said article, was false and misleading in that it represented that each of the said sacks contained 100 pounds of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of the said sacks contained 100 pounds of the article, whereas, in truth and in fact, each of the said sacks did not contain 100 pounds of the said article, but did contain a less amount. Misbranding of the article in each shipment was alleged for the reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On November 10, 1922, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$200.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11123. Adulteration and misbranding of chocolate. U. S. v. 6 Boxes of Dairy Maid Vanilla Chocolate, et al. Consent decree of condemnation and forfeiture. Product delivered to charitable institution.** (F. & D. No. 15954. I. S. Nos. 15544-t, 15545-t, 15546-t, 15547-t, 15548-t. S. No. E-3757.)

On February 2, 1922, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 6 boxes of Dairy Maid vanilla chocolate, 4 boxes of Dairy Maid milk chocolate, 4 boxes of Dairy Maid brand milk chocolate dainties, 8 boxes of vanilla chocolate wafers, and 4 boxes of Dairy Maid brand vanilla chocolate dainties, remaining unsold in the original unbroken packages at New York, N. Y., consigned by the Brewster Sons Co., Newark, N. J., alleging that the articles had been shipped from Newark, N. J., on or about December 28, 1921, and January 9, 1922, and transported from the State of New Jersey into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act. The articles were labeled variously: "1½ Ounces Dairy Maid Vanilla Chocolate Made by Brewster Sons Company Newark, N. J. 5 Cents;" "1½ Ounces Dairy Maid Milk Chocolate Made by Brewster Sons Company Newark, N. J. 5 Cents;" "2½ Pounds Dairy Maid Milk Chocolate Dainties Brewster Sons Company, Newark, N. J.;" "3 Pounds Nassau Vanilla Chocolate Wafers Brewster Sons Company, Newark, N. J.;" "2½ Pounds Dairy Maid Vanilla Chocolate Dainties Brewster Sons Company, Newark, N. J."

Adulteration of the articles was alleged in the libel for the reason that a substance, excessive cocoa shells, had been mixed and packed with and substituted wholly or in part for the said articles.

Misbranding was alleged for the reason that the statements on the respective packages, "Vanilla Chocolate," "Milk Chocolate," "Milk Chocolate Dainties," "Vanilla Chocolate Wafers," and "Vanilla Chocolate Dainties," as the case might be, were false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that each of the said articles was an imitation of and was offered for sale under the distinctive name of another article.

On October 24, 1922, the Brewster Sons Co., Newark, N. J., claimant, having admitted the allegations of the libel and consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to the Salvation Army for consumption and not for sale.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11124. Misbranding of olive oil. U. S. v. Christopher Buonocore and Amedeo Buonocore (C. Buonocore & Son). Pleas of guilty. Fine, \$120.** (F. & D. No. 16567. I. S. Nos. 5078-t, 5079-t, 6678-t, 6679-t, 6680-t, 6681-t, 6682-t, 6683-t, 6693-t.)

On November 11, 1922, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Christopher Buonocore and Amedeo Buonocore, copartners, trading as C. Buonocore & Son, New York, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, in various consignments, namely, on or about April 27, May 5, and May 7, 1921, respectively, from the State of New York into the State of Connecticut, of quantities of olive oil which was

misbranded. The article was labeled in part: (Cans) "Roma Brand Puro Olio D'Oliiva \* \* \* C. Buonocore & Son 1 Gallon" (or " $\frac{1}{2}$  Gallon," or "1 Quart").

Examination of samples of the article by the Bureau of Chemistry of this department showed that the said cans contained less than the quantity declared on the labels thereof.

Misbranding of the article was alleged in substance in the information for the reason that the statements, to wit, "1 Gallon," " $\frac{1}{2}$  Gallon," and "1 Quart," borne on the respective-sized cans containing the said article, regarding the article, were false and misleading in that the said statements represented that each of the said cans contained one gallon, one-half gallon, or one quart of the article, as the case might be, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of the said cans contained one gallon, one-half gallon, or one quart of the said article, as the case might be, whereas, in truth and in fact, each of said cans did not contain the amount declared on the said labels, but did contain a less amount. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the packages.

On November 28, 1922, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$120.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11125. Adulteration of ground mace. U. S. v.  $\frac{1}{2}$  Barrel of Ground Mace. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 16672. S. No. E-4089.)**

On July 28, 1922, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of  $\frac{1}{2}$  barrel of ground mace, remaining in the original and unbroken package at Springfield, Mass., consigned on or about June 7, 1922, alleging that the article had been shipped by Austin Nichols [Austin, Nichols & Co.], New York, N. Y., and transported from the State of New York into the State of Massachusetts, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that a substance, to wit, dirt, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength and had been substituted wholly or in part for the said article.

On September 1, 1922, Austin, Nichols & Co., New York, N. Y., having entered an appearance as claimant for the property and having filed a satisfactory bond in conformity with section 10 of the act, judgment of condemnation was entered, and it was ordered by the court that the product might be released to said claimant upon payment of the costs of the proceedings.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11126. Adulteration of shell eggs. U. S. v. 7 Cases of Eggs. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 16677. I. S. No. 3851-v. S. No. C-3703.)**

On or about July 14, 1922, the United States attorney for the Northern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 7 cases of eggs, at Sioux City, Iowa, alleging that the article had been shipped by the Farmers Union Cooperative Exchange, Hartington, Nebr., on or about July 5, 1922, and transported from the State of Nebraska into the State of Iowa, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance in the libel for the reason that it consisted in part of a filthy animal substance, for the further reason that it consisted in part of a decomposed animal substance, and for the further reason that it consisted in part of a putrid animal substance.

On October 21, 1922, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*



**11127. Adulteration and misbranding of flour. U. S. v. 81 Sacks of Flour. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 16685. I. S. No. 7720-v. S. No. W-1173.)**

On July 29, 1922, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 81 sacks of flour, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the Richardton Milling Co., Richardton, N. Dak., July 1, 1922, and transported from the State of North Dakota into the State of Washington, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: "Richardton Milling Company, Incorporated Never Fails Fancy Flour Richardton, North Dakota 98 Lbs. Fancy Flour Never Fails."

Adulteration of the article was alleged in the libel for the reason that water had been mixed and packed with and substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the statement, "98 Pounds," was false and misleading and deceived and misled the purchaser, and for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On or about August 29, 1922, the J. A. Campbell Co., Seattle, Wash., claimant, having admitted the allegations of the libel and consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$400, in conformity with section 10 of the act.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11128. Adulteration of shell eggs. U. S. v. 400 Cases of Eggs. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 16885. I. S. No. 3941-v. S. No. C-3823.)**

On or about October 7, 1922, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 400 cases of eggs, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by T. E. Russell, Lawson, Mo., June 17, 1922, and transported from the State of Missouri into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy animal substance, for the further reason that it consisted in part of a decomposed animal substance, and for the further reason that it consisted in part of a putrid animal substance.

On October 11, 1922, M. P. Rutledge, Chicago, Ill., claimant, having admitted the allegations of the libel and consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that the product be candled under the supervision of this department, the bad portion destroyed and the good portion released to the claimant.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11129. Adulteration of shell eggs. U. S. v. 400 Cases of Eggs. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 16903. I. S. No. 3940-v. S. No. C-3817.)**

On September 26, 1922, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 400 cases of eggs, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by E. F. Younkin, from Grand Island, Nebr., May 23, 1922, and transported from the State of Nebraska into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act.



Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy animal substance, for the further reason that it consisted in part of a decomposed animal substance, and for the further reason that it consisted in part of a putrid animal substance.

On November 27, 1922, the Thos. E. O'Neill Co., Chicago, Ill., claimant, having admitted the allegations of the libel and consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that the said product be candled under the supervision of this department, the bad portion destroyed, and the good portion released to the claimant.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11130. Misbranding of Texas Wonder. U. S. v. 3 Dozen Bottles of Hall's Texas Wonder. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 12917. I. S. No. 9172-r. S. No. C-1982.)

On June 18, 1920, the United States attorney for the Western District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 dozen bottles of Hall's Texas Wonder, remaining in the original unbroken packages at Victoria, La., alleging that the article had been shipped by E. W. Hall, St. Louis, Mo., June 8, 1920, and transported from the State of Missouri into the State of Louisiana, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of copaiba, guaiac resin, extracts of rhubarb and colchicum, an oil similar to turpentine oil, alcohol, and water.

Misbranding of the article was alleged in the libel for the reason that the cartons enclosing the bottles containing the article and the accompanying circular bore the following statements, (carton) "A Remedy for Kidney and Bladder Troubles. Weak and Lame Backs, Rheumatism and Gravel. Regulates Bladder Trouble in Children," (circular) "In cases of Gravel and Rheumatic troubles it should be taken every night in 25-drop doses until relieved," which said statements regarding the curative and therapeutic effect of the article were false and fraudulent since it contained no ingredient or combination of ingredients capable of producing the effects claimed.

On September 22, 1922, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11131. Misbranding of grapes. U. S. v. Cephus L. Brainard, Frank Brainard, and Forest Brainard (C. L. Brainard Co.). Pleas of guilty. Fine, \$50.** (F. & D. No. 14536. I. S. Nos. 5693-t, 17332-t.)

On September 6, 1921, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Cephus L. Brainard, Frank Brainard, and Forest Brainard, a partnership, trading as C. L. Brainard Co., Portland, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on or about September 29, 1919, from the State of New York into the District of Columbia and on or about October 12, 1920, from the State of New York into the State of Pennsylvania, of quantities of grapes which were misbranded. The product involved in the consignment into the District of Columbia was labeled in part: "Choice New York State Table Grapes Net Contents 4 Qts. \* \* \* Star Brand." The remaining consignment was shipped in unlabeled baskets.

Examination, by the Bureau of Chemistry of this department, of 3 baskets from the consignment into the District of Columbia showed an average of 3.09 quarts.

Misbranding of the product involved in the consignment into the District of Columbia was alleged in the information for the reason that the statement, to wit, "Net Contents 4 Qts.," appearing on the label of the basket containing the said article, was false and misleading in that the said statement represented to the purchaser of the article that the said basket contained 4 quarts of the said article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that the said basket contained

4 quarts net of the article, whereas, in truth and in fact, the said basket did not contain 4 quarts net of the article, but did contain a less amount. Misbranding was alleged with respect to the article involved in both consignments for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On or about November 22, 1922, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$50.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11132. Misbranding of Nonpareil food for hogs and Nonpareil food for stock. U. S. v. 53 Boxes of Nonpareil Food for Hogs, et al. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 15286, 15287, 15288, 15290, 15302, 15308, 15309, 15310, S. Nos. E-3509, E-3510, E-3511, E-3512, E-3528, E-3531, E-3533, E-3534.)**

On August 1, 2, and 5, 1921, respectively, the United States attorney for the Middle District of Pennsylvania, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 198 boxes and 12 cartons of Nonpareil food for hogs and 61 boxes of Nonpareil food for stock, remaining in the original unbroken packages in various lots at Thomasville, Zullinger, Windsor, Dallastown, York, Hanover, and Waynesboro, Pa., respectively, alleging that the articles had been shipped by E. T. Bready, Frederick, Md., between the dates of August 2, 1920, and June 17, 1921, and transported from the State of Maryland into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that the food for hogs consisted essentially of wheat middlings, salt, charcoal, sulphur, red pepper, and a bitter drug such as gentian; and that the food for stock consisted essentially of ground wheat products, including a large amount of bran, approximately 12 per cent of salt, approximately 1 per cent of sulphur, charcoal, a bitter drug such as gentian, and an aromatic substance such as anise or fennel.

Misbranding of the articles was alleged in substance in the libels for the reason that the following statements appearing on the boxes containing the food for hogs, " \* \* \* prepared from purely vegetable ingredients, which \* \* \* so thoroughly strengthen the entire system that the Hog Cholera microbe cannot find lodgment and will be thrown off without any harm to the animal. \* \* \* Hog Cholera, \* \* \* the proper way is to invigorate the system by purely vegetable remedies, so that the microbe cannot find a lodging place in the system from which to do its deadly work. \* \* \* 'Nonpareil Hog Food' will cure these milder forms, and, used as directed, will prevent Hog Cholera \* \* \* (One tablespoonful with slop for three hogs will prevent nearly all swine diseases.) \* \* \* A Specially Prepared Food which is a sure preventive of Cholera, \* \* \* it will prevent hog cholera if fed regularly," the following statements appearing on the boxes containing a portion of the food for stock, "It will prevent and cure disease in all domestic animals \* \* \* Cows fed on this Food will give \* \* \* Richer Milk \* \* \* Preventing Foot and Mouth Diseases, Cholera, etc. \* \* \* Calves \* \* \* keeps them free from scour \* \* \* Horses \* \* \* For Epizootic \* \* \* Kidney or Liver Trouble \* \* \* Influenza \* \* \* Cows \* \* \* Will increase the \* \* \* richness of milk \* \* \* Cattle \* \* \* Prevents disease \* \* \* Colts \* \* \* Prevents mange \* \* \* Calves \* \* \* Prevents skin disease, scour, etc. \* \* \* For Colic," and the following statements appearing in a circular accompanying the remainder of the said food for stock, "Horses \* \* \* For Epizootic \* \* \* Kidney or Liver Trouble \* \* \* Influenza \* \* \* Cows \* \* \* Will increase \* \* \* richness of milk \* \* \* Cattle \* \* \* Prevents disease \* \* \* Colts \* \* \* Prevents mange \* \* \* Calves \* \* \* Prevents skin disease, scours, etc. \* \* \* For Colic," regarding the curative and therapeutic effects of the respective articles, were false and fraudulent, since the said articles contained no ingredients or combinations of ingredients capable of producing the effects claimed. Misbranding was alleged for the further reason that the following statements appearing on the label of the said food for hogs, to wit, "This Food is prepared from Herbs, Seeds and Roots, \* \* \* It is prepared from purely vegetable ingredients \* \* \* All the ingredients composing this Food are \* \* \* Herbs, Seeds and



Roots. \* \* \* It contains no Mineral whatever except salt," and the statement appearing on the label on a portion of the boxes containing the said food for hogs and in a circular inclosed therein, to wit, "One tablespoonful with slop for three hogs will prevent nearly all swine diseases," were false and misleading.

On July 6, 1922, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the products be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11133. Misbranding of Giles' germicide. U. S. v. 17 Bottles of Giles' Germicide. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 16129. S. No. C-3526.)**

On April 22, 1922, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 17 bottles of Giles' germicide, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped by the Giles Remedy Co., Chicago, Ill., on or about March 2, 1922, and transported from the State of Illinois into the State of Missouri, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of camphor, ether, and linseed oil, and was not an antiseptic or a germicide.

Misbranding of the article was alleged in substance in the libel for the reason that the following statements, regarding the curative and therapeutic effect thereof, appearing on the labeling of the bottle and carton containing the said article and in the accompanying booklet, (bottle) "Germicide \* \* \* A \* \* \* Germicide Antiseptic, Tonic and Blood Purifier," (carton) "Germicide \* \* \* A \* \* \* remedy \* \* \* for Ailments caused by disease producing germs within and without the body. Neutralizes and Expels from the Blood The toxins of germs and other poisons or impurities. Allays internal or external congestion or inflammation \* \* \* this \* \* \* remedy is \* \* \* germicide, antiseptic \* \* \* it acts upon disease germs \* \* \* chronic diseases \* \* \* as well as the acute germ diseases, are relieved by Giles' Germicide because it acts to overcome Germ Poison and remove them from the system. Relieves the Cause of Rheumatism, Asthma, Catarrh, Throat Troubles, Blood and Skin Diseases and Affections. Disease of the Stomach and Bowels and Ailments of an Inflammatory Nature, Either Internal or External," (booklet) "Giles' Germicide \* \* \* removes the known cause of nearly all diseases \* \* \* A Real Relief for Disease \* \* \* Stomach and Intestinal Troubles \* \* \* Consumption, Asthma, Pneumonia, La Grippe, etc. \* \* \* Blood and Skin Diseases \* \* \* Internally it is used for all diseases, acute or chronic \* \* \* Piles \* \* \* Pleurisy \* \* \* Diphtheria \* \* \* Croup \* \* \* Measles, Scarlet Fever, Chicken Pox \* \* \* Chills, Fever and Ague, Malaria \* \* \* Appendicitis or Stoppage of the Bowels \* \* \* Dysentery \* \* \* Diseases of the Throat and Lungs \* \* \* Dyspepsia, Indigestion, Catarrh of the Stomach \* \* \* Rheumatism, Gout \* \* \* Paralysis \* \* \* Kidney Trouble \* \* \* Bladder and Prostatic troubles \* \* \* Gonorrhoea and Gleet \* \* \* sexual weakness \* \* \* Scrofula, Erysipelas, Eczema, Syphilitic Affections, and \* \* \* Sores or Skin Eruptions \* \* \* Female Troubles \* \* \* to regulate menstrual disorders," were false and fraudulent since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On September 18, 1922, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11134. Adulteration of potted meat. U. S. v. 10 Cases and 18 Cans [Cases] of Rex Potted Meat By-Products. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 16393. I. S. Nos. 12766-t, 12767-t. S. No. C-3655.)**

On June 20, 1922, the United States attorney for the Southern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and



condemnation of 10 cases and 18 cans [cases], more or less, of Rex potted meat, at Lagrange, Tex., alleging that the article had been shipped by the Cudahy Packing Co., from Kansas City, Mo., on or about April 19, 1922, and transported from the State of Missouri into the State of Texas, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "The Taste Tells' Rex Potted Meat By-Products Cereal Added The Cudahy Packing Co., U. S. A. \* \* \* U. S. Inspected And Passed By Department of Agriculture."

Adulteration of the article was alleged in the libel for the reason that it consisted wholly or in part of a filthy, decomposed, and putrid animal substance.

On October 30, 1922, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11135. Adulteration of chloroform. U. S. v. 361 Tins of Chloroform. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 16481. I. S. No. 18448-t. S. No. C-8666.)

On June 28, 1922, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 361 tins of chloroform, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped from New York, N. Y., on or about April 25, 1922, and transported from the State of New York into the State of Missouri, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Chloroform \* \* \* For Anaesthesia."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that it was turbid, that it contained impurities decomposable by sulphuric acid and chlorinated decomposition products, and that upon evaporation it left a foreign odor.

Adulteration of the article was alleged in the libel for the reason that it was sold under and by a name recognized in the United States Pharmacopœia, and differed from the standard of strength, quality, and purity as determined by the test laid down in said Pharmacopœia.

On September 20, 1922, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11136. Adulteration of chloroform. U. S. v. 164 Cans of Chloroform. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 16549. I. S. No. 2626-t. S. No. C-3677.)

On July 1, 1922, the United States attorney for the Northern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 164 cans of chloroform, remaining unsold in the original unbroken packages at Fort Dodge, Iowa, alleging that the article had been shipped from New York, N. Y., on or about March 16, 1922, and transported from the State of New York into the State of Iowa, and charging adulteration in violation of the Food and Drugs Act.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it was turbid and that it contained chlorinated decomposition products.

Adulteration of the article was alleged in the libel for the reason that it was sold under and by a name recognized in the United States Pharmacopœia, but differed from the standard of strength, quality, or purity as determined by the test laid down in the said Pharmacopœia.

On November 14, 1922, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11137. Adulteration and misbranding of olive oil. U. S. v. 5 1-Gallon Cans and 4 5-Gallon Cans of Olive Oil. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 16593. I. S. No. 18425-t. S. No. C-3678.)**

On July 7, 1922, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 5 1-gallon cans and 4 5-gallon cans of olive oil, remaining in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped by the Messina Importing Co., New York, N. Y., on or about June 13, 1922, and transported from the State of New York into the State of Missouri, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended.

Adulteration of the article was alleged in the libel for the reason that cotton-seed oil had been mixed and packed with and substituted wholly or in part for olive oil.

Misbranding was alleged in substance for the reason that the following statements appearing on the labels of the gallon cans, to wit, "Olio Puro D'Oliiva Garantito Messina Brand Extra Fine Quality Packed and Imported by Messina Imp. Co. New York, N. Y. This can contains one gallon \* \* \* Messina Brand Olio Puro D'Oliiva. This oil is absolutely pure extracted from olives and unsurpassable for table and medicinal use. It is guaranteed under any analysis in strict accordance with laws covering imported products," together with equivalent statements in Italian, were false and misleading and deceived and misled the purchaser, and for the further reason that the article was [food] in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package. Misbranding was alleged, with respect to the product in the cans of both sizes, for the reason that it was an imitation of and was offered for sale under the distinctive name of another article.

On September 20, 1922, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11138. Adulteration and misbranding of flour. U. S. v. 100 Sacks of Flour. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 16684. I. S. No. 7714-v. S. No. W-1170.)**

On or about July 29, 1922, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 100 sacks of flour, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the Montana Flour Mills Co., Harlowton, Mont., July 10, 1922, and transported from the State of Montana into the State of Washington, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: "Montana Flour Mills Co. Highest Patent Sapphire Flour Made from Selected Hard Wheat Matured Bleached 49 Lbs. \* \* \* Sapphire Flour."

Adulteration of the article was alleged in the libel for the reason that water had been mixed and packed with and substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the statement, "49 Pounds," was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On or about August 24, 1922, Galbraith & Co., Seattle, Wash., claimant, having admitted the allegations of the libel and confessed judgment, a decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$250, in conformity with section 10 of the act, conditioned in part that it be reconditioned under the supervision and to the satisfaction of this department.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*



**11139. Adulteration and misbranding of flour. U. S. v. 102 Sacks of Flour. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 16734. I. S. No. 7728-v. S. No. W-1191.)**

On August 9, 1922, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 102 sacks of flour, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the Judith Milling Co., Hobson, Mont., March 14, 1922, and transported from the State of Montana into the State of Washington, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: "Judith Milling Co. Hobson Flour Made From the Famous Judith Basin Wheat Hobson, Montana. 98 Lbs. Hobson Flour."

Adulteration of the article was alleged in the libel for the reason that water had been mixed and packed with and substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the statement, "98 Lbs.," was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On August 24, 1922, George L. Case, Seattle, Wash., claimant, having admitted the allegations of the libel and confessed judgment, a decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$150, in conformity with section 10 of the act, conditioned in part that the product be reconditioned under the supervision and to the satisfaction of this department.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11140. Adulteration and misbranding of kidney beans. U. S. v. 50 Cases, et al. of Kidney Beans. Tried to the court and a jury. Judgments for the Government. Product ordered destroyed. (F. & D. Nos. 12184, 12202, 12238. I. S. Nos. 15217-r, 15218-r, 15979-r. S. Nos. E-1982, E-1989, E-2025.)**

On February 19, February 26, and March 8, 1920, respectively, the United States attorney for the Eastern District of Pennsylvania, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 85 cases and 41 dozen cans of kidney beans, remaining in the original unbroken packages, in part at Philadelphia, Pa., and in part at Lancaster, Pa., consigned by George Van Camp & Sons Co., Westfield, Ind., alleging that the article had been shipped from Westfield, Ind., in part on or about December 9, 1919, and in part on or about December 11, 1919, and transported from the State of Indiana into the State of Pennsylvania, and charging adulteration and misbranding in violation of the Food and Drugs Act. A portion of the article was labeled in part: "Geo. Van Camp's Red Kidney Beans Contents 1 Lb. 4 Oz. Packed by Geo. Van Camp & Sons Co., Westfield, Ind." The remainder of the article was labeled in part: "Elk Head Brand Red Kidney Beans \* \* \*."

Adulteration of the article was alleged in the libels for the reason that long cranberry beans had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and had been substituted in whole or in part for kidney beans.

Misbranding was alleged in substance for the reason that the statement appearing on the labels of the cans containing the article, to wit, "Red Kidney Beans," and the design and device of a cut of a dish containing red beans, appearing on the labels of a portion of the said cans, regarding the said article and the ingredients and substances contained therein, were false and misleading in that the said cans did not contain red kidney beans.

On or about October 23, 1922, George Van Camp & Sons Co., having theretofore entered an appearance as claimant for the property, the case came on for final disposition before the court and a jury. The claimant not appearing at the trial, after the submission of evidence and argument by counsel for the Government, the court charged the jury, which, without leaving the jury box, found for the Government. On October 24, 1922, judgments of the court



were entered providing for the destruction of the product, but upon authority of the Department of Justice it was subsequently delivered to charitable institutions.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11141. Adulteration and misbranding of catsup. U. S. v. 23 Cases of Catsup. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14230. I. S. No. 9252-t. S. No. E-3060.)**

On January 24, 1921, the United States attorney for the Southern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 23 cases of catsup, remaining unsold in the original packages at Augusta, Ga., alleging that the article had been shipped by the J. T. Polk Co., Mound City, Ill., on or about October 13, 1920, and transported from the State of Illinois into the State of Georgia, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: "Contents 8 Lbs. Avd. Polk's \* \* \* Best \* \* \* Catsup J. T. Polk Company General Sales Offices—Chicago U. S. A."

Adulteration of the article was alleged in substance in the libel for the reason that it consisted wholly or in part of a filthy, decomposed, and putrid vegetable substance.

Misbranding was alleged for the reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package since the statement as to the quantity of the contents was incorrect.

On October 11, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11142. Adulteration and misbranding of tea. U. S. v. 16 Cartons of Orange Pekoe Ceylon Tea and 90 Packages of Himalaya Darjeeling India Tea. Default decree of condemnation, forfeiture, and destruction with respect to the 16 cartons. Decree of condemnation with respect to remainder and product released upon payment of costs. (F. & D. Nos. 15774, 15775. I. S. Nos. 3372-t. 3373-t. S. Nos. C-3461, C-3462.)**

On April 14, 1922, the United States attorney for the Western District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 16 cartons, each containing 5 dozen packages of Bohea's Special Orange Pekoe Ceylon tea, and 90 half-pound packages of Himalaya Darjeeling India tea, remaining unsold in the original unbroken packages at Shreveport, La., alleging that the article had been shipped by the Bohea Importing Co., Baltimore, Md., the former on or about July 17, 1920, and the latter on or about November 10, 1921, and transported from the State of Maryland into the State of Louisiana, and charging adulteration and misbranding with respect to a portion thereof and misbranding with respect to the remainder, in violation of the Food and Drugs Act, as amended. A portion of the article was labeled in part: "Bohea's Special Orange Pekoe Ceylon Tea. \* \* \* Net 1½ Ozs. And Over When Packed. \* \* \* Packed Only By Bohea Importing Co. Baltimore, Md., U. S. A." The remainder of the article was labeled in part: "Extremely Superb 'Himalaya' Darjeeling India Tea \* \* \* Half Pound Net \* \* \* Bohea Importing Co. Baltimore, U. S. A."

Adulteration of the so-called Orange Pekoe tea was alleged in substance in the libel for the reason that a grade or grades of tea other than Orange Pekoe had been mixed or packed therewith so as to reduce or lower or injuriously affect its quality or strength and had been substituted wholly or in part for the said article.

Misbranding was alleged in substance for the reason that the statements, "Special Orange Pekoe" and "Net 1½ Ozs. And Over When Packed," with respect to a portion of the article, and the statement, "One Half Pound Net," with respect to the remainder, were false and misleading and deceived and misled the purchaser when applied to a package containing a grade or grades [other than] Orange Pekoe and containing less than 1½ ounces, or when applied to a package containing less than ½ pound net, as the case might be. Misbranding was alleged with respect to both brands of the said article for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On May 22, 1922, W. J. Hunter, Shreveport, La., having entered an appearance as claimant for the 90 packages of Himalaya Darjeeling tea, judgment of condemnation was entered, and it was ordered by the court that the product be emptied from the cans containing the same and that it be delivered in bulk to the said claimant upon payment of the costs of the proceedings. On October 16, 1922, no claimant having appeared for the Orange Pekoe Ceylon tea, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11143. Misbranding of cottonseed meal. U. S. v. Tallulah Cotton Oil Co., a Corporation. Plea of guilty. Fine, \$100 and costs. (F. & D. No. 16017. I. S. No. 2832-t.)**

On May 22, 1922, the United States attorney for the Western District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Tallulah Cotton Oil Co., a corporation, Tallulah, La., alleging shipment by said company, in violation of the Food and Drugs Act, on or about May 18, 1921, from the State of Louisiana into the State of Alabama, of a quantity of cottonseed meal which was misbranded. The article was labeled in part: (Tag) "'Talco Brand' Good Cotton Seed Meal \* \* \* Manufactured by Tallulah Cotton Oil Co., Tallulah, La."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained 16.10 per cent of crude fiber and 33.94 per cent of protein.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "Guaranteed Analysis Protein 36% \* \* \* Fibre 12%," borne on the tags attached to the sacks containing the article, regarding the said article and the ingredients and substances contained therein, was false and misleading in that the said statement represented that the article contained not less than 36 per cent of protein and not more than 12 per cent of fiber, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 36 per cent of protein and not more than 12 per cent of fiber, whereas, in truth and in fact, it did contain less than 36 per cent of protein, to wit, approximately 33.94 per cent of protein, and did contain more than 12 per cent of fiber, to wit, approximately 16.10 per cent of fiber.

On October 2, 1922, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100 and costs.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11144. Adulteration of canned peas. U. S. v. 1,999 Cases of Canned Peas. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 16647. S. No. E-4064.)**

On July 20, 1922, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1,999 cases of canned peas, remaining in the original unbroken packages at Philadelphia, Pa., consigned by Draper & Co., Milford, Del., alleging that the article had been shipped from Milford, Del., on or about July 7, 1922, and transported from the State of Delaware into the State of Pennsylvania, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Early June Peas Packed by Draper & Co., Inc."

Adulteration of the article was alleged in the libel for the reason that excessive brine had been mixed and packed with and substituted wholly or in part for the said article.

On October 30, 1922, Draper & Co., Inc., Milford, Del., having entered an appearance as claimant for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$8,000, in conformity with section 10 of the act, conditioned in part that it be relabeled under the supervision of this department.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*



**11145. Adulteration of chloroform. U. S. v. 100 Cans of Chloroform. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 16649. S. No. C-3718.)**

On August 22, 1922, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 100 cans of chloroform, remaining unsold in the original packages at Columbus, Ohio, consigned March 24, 1922, alleging that the article had been shipped from New York, N. Y., and transported from the State of New York into the State of Ohio, and charging adulteration in violation of the Food and Drugs Act.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it was turbid and that it contained chlorinated decomposition products.

Adulteration of the article was alleged in the libel for the reason that it was sold under and by a name recognized in the United States Pharmacopœia and differed from the standard of strength, quality, and purity as determined by the test laid down in said Pharmacopœia.

On November 27, 1922, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11146. Adulteration and misbranding of tankage. U. S. v. 18 Sacks of Feeding Tankage. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 16693. I. S. No. 4455-v. S. No. C-3743.)**

On August 2, 1922, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 18 sacks of feeding tankage, consigned March 27, 1922, alleging that the article had been shipped from Syracuse, N. Y., and transported from the State of New York into the State of Ohio, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Tag) "Motts Feeding Tankage Protein 18%, Fat 4%, Fibre under 11%, From A. G. Motts Company \* \* \* Household Garbage Constituted principal materials. Carefully picked over. Undesirable refuse removed."

Adulteration of the article was alleged in the libel for the reason that glass had been mixed and packed and substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the statements "Fat 4%" and "Fibre under 11%" were false and misleading and deceived and misled purchasers.

On November 27, 1922, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11147. Adulteration and misbranding of butter. U. S. v. 19 Tubs of Butter. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 16775. I. S. No. 2516-v. S. No. E-4141.)**

On August 25, 1922, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 19 tubs of butter, remaining in the original unbroken packages at Philadelphia, Pa., consigned by the Quaker City Cooperative Creamery Co., Quaker City, Ohio, alleging that the article had been shipped from Quaker City, Ohio, on or about August 9, 1922, and transported from the State of Ohio into the State of Pennsylvania, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that excessive water had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and had been substituted in whole or in part for butter. Adulteration was alleged for the further reason that a valuable constituent of the said article, to wit, butterfat, had been in whole or in part abstracted.

Misbranding was alleged for the reason that the article was an imitation of and offered for sale under the distinctive name of another article.



On October 30, 1922, C. M. Drake & Co., Philadelphia, Pa., having entered an appearance as claimant for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$840, in conformity with section 10 of the act, conditioned in part that it be reworked under the supervision of this department.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11148. Adulteration and misbranding of potatoes. U. S. v. 1 Car of Potatoes. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 16812. I. S. No. 1705-v. S. No. E-4180.)**

On September 16, 1922, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel of information praying the seizure and condemnation of 1 car of potatoes at Springfield, Mass., alleging that the article had been shipped by Chamberlin & Barclay, from Hightstown, N. J., on or about September 6, 1922, and transported from the State of New Jersey into the State of Massachusetts, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "U. S. Grade No. 1, 150 Lbs. Net When Packed Frank Powell, Hightstown, N. J."

Adulteration of the article was alleged in the libel for the reason that a substance, to wit, potatoes of a lower grade than that designated, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and had been substituted in part for U. S. Grade No. 1 potatoes, which the said article purported to be.

Misbranding was alleged for the reason that the package or label bore a statement, to wit, "U. S. Grade No. 1," regarding the article or the ingredients contained therein, which was false and misleading and deceived and misled the purchaser.

On October 25, 1922, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal. The destruction was accomplished by using the potatoes, which were very scabby, as hog feed.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11149. Adulteration and misbranding of butter. U. S. v. 8 Boxes of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 16914. I. S. No. 2082-v. S. No. E-4216.)**

On November 10, 1922, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 8 boxes of butter, remaining in the original unbroken packages at Erie, Pa., alleging that the article had been shipped by Hickman & Coward, Buffalo, N. Y., on October 30, 1922, and transported from the State of New York into the State of Pennsylvania, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: "1 Lb. Net Weight. This butter is made from pure cream \* \* \*"

Adulteration of the article was alleged in the libel for the reason that excessive moisture had been mixed and packed with and substituted wholly or in part for the said article. Adulteration was alleged for the further reason that a valuable constituent, butterfat, had been wholly or in part abstracted.

Misbranding was alleged for the reason that the statement "1 Lb. Net Weight" was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On December 1, 1922, the Sanilac County Creamery Co., Brown City, Mich., claimant, having consented to the entry of a decree, judgment of condemnation was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act, conditioned in part that it be reworked under the supervision of this department.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11150. Adulteration and misbranding of prepared mustard and horse-radish mustard. U. S. v. 67 Cases, et al, of Prepared Mustard and 90 Cases, et al, of Horse-radish Mustard. Default decree of condemnation, forfeiture, and destruction.** (F. & D. Nos. 14148, 14149, 14150, 14151, 14152, 14153, 14154, 14155. I. S. Nos. 10503-t, 10504-t. S. No. W-827.)

On December 21, 1920, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel, and on December 28, 1920, an amended libel, praying the seizure and condemnation of 67 cases, each containing 3 dozen 6-ounce bottles, 65 cases, each containing 2 dozen 9-ounce bottles, and 33 bottles of prepared mustard, and 90 cases, each containing 3 dozen 6-ounce bottles, and 29 cases, each containing 2 dozen 9-ounce bottles of horse-radish mustard, in part at San Francisco, and in part at San Jose, Calif., alleging that the article had been shipped by the Bayle Food Products Co., St. Louis, Mo., on or about January 17, 1920, and transported from the State of Missouri into the State of California, and charging adulteration and misbranding in violation of the Food and Drugs Act. The articles were labeled variously, in part: "6 Oz. Net Bayle Quality Old English Style Prepared Mustard \* \* \* Mustard Seed, Vinegar, Salt And Spices With Turmeric;" "Bayle Quality Prepared Mustard (English Style) Bayle Food Products Co St. Louis 9 Oz. Net Wt. Mustard Seed, Vinegar, Salt & Spices. Colored and Flavored with Turmeric;" "6 Oz. Net" (or "9 Oz. Net") "Bayle Quality Horseradish Mustard \* \* \* Horseradish, Mustard Seed, Vinegar, Salt And Spices With Turmeric."

Adulteration of the articles was alleged in the libel for the reason that mustard hulls had been mixed and packed therewith so as to reduce, lower, and injuriously affect their quality and strength and had been substituted in part for the said articles. Adulteration was alleged for the further reason that the said articles were colored in a manner whereby damage or inferiority was concealed.

"Misbranding was alleged in substance for the reason that the statement "Prepared Mustard," appearing in the labeling of the so-called prepared mustard, the statement declaring horse-radish as one of the ingredients, appearing in the labeling of the so-called horse-radish mustard, and the statement of the ingredients of the said articles which did not include mustard hulls, appearing in the labeling of both products, were false and misleading, and deceived and misled the purchaser into the belief that the said articles were prepared mustard or horse-radish mustard, as the case might be, whereas, in truth and in fact, the articles contained turmeric and excessive hull tissue and the so-called horse-radish mustard contained little or no horse-radish. Misbranding was alleged for the further reason that the articles were imitations of and were offered for sale under the distinctive names of other articles.

On October 28, 1922, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the products be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

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## United States Department of Agriculture.

### SERVICE AND REGULATORY ANNOUNCEMENTS.

BUREAU OF CHEMISTRY.

#### SUPPLEMENT.

N. J. 11151-11200.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., March 31, 1923.]

#### NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

**11151. Misbranding of McMullin's tonic. U. S. v. 9 Bottles of McMullin's Tonic. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 14810. I. S. No. 3915-t. S. No. C-2976.)

On April 29, 1921, the United States attorney for the Western District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 9 bottles of McMullin's tonic, remaining unsold in the original unbroken packages at Oklahoma City, Okla., alleging that the article had been shipped by Tilden McMullin, Sedalia, Mo., on or about January 15, 1921, and transported from the State of Missouri into the State of Oklahoma, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of glycerin, alcohol, and water, with traces of iodid and phenol.

Misbranding of the article was alleged in substance in the libel for the reason that the labels on the bottles containing the said article bore certain statements, designs, and devices regarding the curative and therapeutic effects thereof, to wit, " \* \* \* Tonic \* \* \* Affords great relief in cases of \* \* \* Consumption, Asthma, Catarrh and Bronchitis," which were false and fraudulent in that the said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On January 5, 1923, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11152. Adulteration and misbranding of oil. U. S. v. 39 Cans, et al., of Oil. Default decrees of condemnation and forfeiture. Product delivered to charitable institutions.** (F. & D. Nos. 15272, 15273. I. S. Nos. 6937-t, 6938-t, 6939-t, 6940-t, 7010-t, 7011-t, 7012-t. S. Nos. E-3487, E-3490.)

On July 28 and 29, 1921, respectively, the United States attorney for the Eastern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 39 pint cans, 120 quart cans, 96 half-gallon cans, and 126 gallon cans of La Provence Brand oil, and 3 cartons

containing 18 gallon cans, 2 cartons containing 24 half-gallon cans, and 12 quart cans of Olivolo Brand oil, remaining unsold in the original unbroken packages, in part within the Borough of Richmond, and in part within the Borough of Brooklyn, State of New York, alleging that the article had been shipped by the Littauer Oil Co., Guttenberg, N. J., on or about June 17 and 24, 1921, respectively, and transported from the State of New Jersey into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. A portion of the article was labeled in part: "La Provence Brand Oil \* \* \* Pressed From Cotton Seeds \* \* \* One Pint" (or "One Quart," "One Half Gallon," or "One Gallon") \* \* \* Littauer Oil Co., Guttenberg, N. J." The remainder of the article was labeled in part: "Olivolo Brand Oil Per Insalata Come L'Olio, D'Oliiva \* \* \* A Pure Salad Oil Blended with Olive Oil \* \* \* Il Olivolo 'Olio' Viene Estratto Da Vegetali Di Prima Qualita Con Metodi Perfezionati: E'Iginici E'Perfettamente \* \* \* E'Salutifero Per Eccellenza \* \* \* La Marca \* \* \* Olivolo \* \* \* Il Olivolo 'Olio' \* \* \* One Gallon" (or "One Half Gallon" or "One Quart") "Packed By Littauer Oil Co., Guttenberg, N. J." (design of a draped flag).

Adulteration of the Olivolo Brand oil was alleged in the libel for the reason that cottonseed oil had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength and had been substituted wholly or in part for the article, and for the further reason that it was mixed in a manner whereby its inferiority was concealed.

Misbranding was alleged with respect to both brands (with the exception of the half-gallon cans of Olivolo Brand oil) for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside thereof, since the quantity stated was not correct. Misbranding was further alleged with respect to the Olivolo Brand for the reason that the packages or labels bore statements, designs, and devices, regarding the article and the ingredients and substances contained therein, which were false and misleading and deceived and misled the purchaser, for the further reason that the said article was an imitation of and was offered for sale under the distinctive name of another article, and for the further reason that it purported to be a foreign product when not so.

On October 13, 1921, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and subsequently the product was ordered delivered to charitable institutions.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11153. Adulteration of coriander seed. U. S. v. 11 Sacks and 6 Sacks of Coriander Seed. Decrees of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 16078, 16646. S. Nos. C-3502, C-3715.)**

On April 4 and July 20, 1922, respectively, the United States attorney for the Eastern District of Missouri, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 17 sacks of coriander seed, remaining unsold in the original unbroken packages in possession of the Biston Coffee Co., St. Louis, Mo., alleging that the article had been shipped from East St. Louis, Ill., in part on or about March 15, 1922, and in part on or about June 30, 1922, and transported from the State of Illinois into the State of Missouri, and charging adulteration in violation of the Food and Drugs Act. The sacks in the consignment of March 15 were labeled in part: "From Biston Coffee Company, St. Louis, Missouri."

Adulteration of the article was alleged in substance in the libels for the reason that worm-eaten seeds, weed seeds, and soil, with respect to the shipment of March 15, and worm-eaten seeds, weed seeds, dirt (weevil) and mouse excreta, stones, and dirt, with respect to the shipment of June 30, had been mixed and packed with and substituted wholly or in part for the said article. Adulteration was alleged for the further reason that the article consisted wholly or in part of a filthy vegetable substance.

On November 21, 1922, the Biston Coffee Co., St. Louis, Mo., having entered an appearance as claimant for the property, judgments of condemnation were entered, and it was ordered by the court that the product be released to the said claimant upon the execution of good and sufficient bonds, in conformity with section 10 of the act, said bonds being in the aggregate sum of \$400,



conditioned in part that the claimant pay the costs of the proceedings and that the product be recleaned.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11154. Adulteration of butter. U. S. v. 124 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond.** (F. & D. No. 16688. I. S. No. 3760-v. S. No. C-3745.)

On July 31, 1922, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 124 tubs of butter, remaining unsold in the original packages at Chicago, Ill., alleging that the article had been shipped by the New London Creamery Assoc., New London, Minn., July 18, 1922, and transported from the State of Minnesota into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that a substance, to wit, excessive water, had been mixed and packed with the said article so as to reduce and lower and injuriously affect its quality and strength, for the further reason that a substance deficient in milk fat and high in moisture had been substituted in part for the said article, and for the further reason that a valuable constituent of the said article, to wit, butterfat, had been in part abstracted therefrom.

On September 7, 1922, the New London Creamery Assoc., New London, Minn., claimant, having admitted the material allegations of the libel and consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that it be reprocessed in such a manner as to remove the excess water, under the supervision of this department.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11155. Misbranding of Eckman's alternative. U. S. v. 197½ Dozen Large Bottles, et al., of Eckman's Alternative. Consent decrees of condemnation and forfeiture. Product released under bond.** (F. & D. Nos. 16701, 16702, 16703, 16704, 16730. I. S. Nos. 8026-v, 8102-v. S. Nos. W-1177, W-1185.)

On August 3 and 9, 1922, respectively, the United States attorney for the Northern District of California, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 240½ dozen large bottles and 158½ dozen small bottles of Eckman's alternative, remaining in the original unbroken packages, in part at San Francisco, Calif., and in part at Sacramento, Calif., alleging that the article had been shipped by the Burrows-Little-White Co., Philadelphia, Pa., in part November 23, 1921, and in part April 12, 1922, and transported from the State of Pennsylvania into the State of California, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of 3.3 per cent of calcium chlorid, 2.3 per cent of plant extracts, and 94.4 per cent of water, flavored with clove oil.

Misbranding of the article was alleged in substance in the libels for the reason that the following statements regarding the curative and therapeutic effect of the said article, (carton and bottle, both sizes) "Eckman's Alternative For use in the following Throat and Lung Affections Bronchial Asthma, Catarrhal Bronchitis and Pulmonary Troubles, Stubborn Coughs and Colds," were false and fraudulent since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On September 23 and October 14, 1922, respectively, the Burrows-Little-White Co., Philadelphia, Pa., having entered an appearance as claimant for the property and having consented to the entry of decrees, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of good and sufficient bonds, in conformity with section 10 of the act, conditioned in part that the product be made to conform with the provisions of the said act under the direction and to the satisfaction of this department.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11156. Adulteration and misbranding of salad dressing. U. S. v. 70 Cases of Regal Thousand Island Dressing. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 16814. I. S. No. 7837-v. S. No. W-1211.)**

On September 29, 1922, the United States attorney for the Eastern District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 70 cases of Regal Thousand Island dressing, remaining unsold in the original unbroken packages at Spokane, Wash., consigned by Ben T. Hosking & Bro., Chicago, Ill., alleging that the article had been shipped from Chicago, Ill., in two shipments, namely, March 1 and April 1, 1921, and transported from the State of Illinois into the State of Washington, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: "Net Weight, 10 Ounces Regal \* \* \* Thousand Island Dressing \* \* \* Manufactured by Ben T. Hosking & Brother Chicago, Ill."

Adulteration of the article was alleged in the libel for the reason that it consisted wholly or in part of a filthy, decomposed, and putrid vegetable or animal substance.

Misbranding was alleged in substance for the reason that the label upon each bottle containing the article, "Net Weight, 10 Ounces," was false and misleading and deceived and misled the purchaser in that the label represented that the said bottles contained a greater quantity than was contained therein. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked upon the outside of each of said packages, since the weight marked upon the said labels was not correct.

On December 14, 1922, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11157. Adulteration of shell eggs. U. S. v. 12 Cases of Eggs. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 16824. I. S. No. 3933-v. S. No. C-3784.)**

On or about August 24, 1922, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 12 cases of eggs, at Chicago, Ill., alleging that the article had been shipped by the Copeland-Wells Co., Lenox, Iowa, August 15, 1922, and transported from the State of Iowa into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy animal substance, for the further reason that it consisted in part of a decomposed animal substance, and for the further reason that it consisted in part of a putrid animal substance.

On September 20, 1922, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11158. Adulteration and misbranding of flour. U. S. v. 400 Sacks of Flour. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 16869. I. S. No. 7961-v. S. No. W-1220.)**

On October 4, 1922, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 400 sacks of flour, remaining in the original unbroken packages at Los Angeles, Calif., consigned by Crowther Bros., Malad, Idaho, alleging that the article had been shipped from Malad, Idaho, on or about August 25, 1922, and transported from the State of Idaho into the State of California, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: "Eureka Flour \* \* \* Net Weight 98 Pounds."

Adulteration of the article was alleged in the libel for the reason that bleached flour had been mixed and packed with and substituted wholly or in part for the said article.



Misbranding was alleged for the reason that the statement, "Net Weight 98 Pounds," was false and misleading and deceived and misled the purchaser, and for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On October 23, 1922, the C. A. Hutton Flour Co., Los Angeles, Calif., having entered an appearance as claimant for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product might be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,500, in conformity with section 10 of the act, conditioned in part that it be relabeled in a manner satisfactory to this department.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11159. Adulteration of shell eggs. U. S. v. 400 Cases of Eggs. Consent decree of condemnation and forfeiture. Product released under bond.** (F. & D. No. 16871. I. S. No. 3801-v. S. No. C-3808.)

On September 21, 1922, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 400 cases of eggs, remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by the Producers Cold Storage Co., St. Joseph, Mo., August 31, 1922, and transported from the State of Missouri into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance in the libel for the reason that it consisted in part of a filthy animal substance, for the further reason that it consisted in part of a decomposed animal substance, and for the further reason that it consisted in part of a putrid animal substance.

On September 29, 1922, Gallagher Bros., Chicago, Ill., claimant, having admitted the allegations of the libel and consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that the eggs be candled under the supervision of this department, the bad portion destroyed and the good portion delivered to the claimant.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11160. Adulteration of shell eggs. U. S. v. Theodore B. Wood (Chickasha Hide & Produce Co.). Tried to the court and a jury. Verdict of guilty. Fine, \$100.** (F. & D. No. 14510. I. S. No. 350-t.)

On August 3, 1921, the United States attorney for the Eastern District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Theodore B. Wood, trading as Chickasha Hide & Produce Co., Chickasha, Okla., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about July 15, 1920, from the State of Oklahoma into the State of Kansas, of a quantity of shell eggs which were adulterated. The article was labeled in part: "Chickasha Hide & Produce Co. Poultry, Butter, Eggs and Hides Chickasha, Okla."

Examination, by the Bureau of Chemistry of this department, of 720 eggs from the consignment showed that 181, or 25.1 per cent of those examined, were inedible eggs, consisting of black rots, mixed or white rots, spot rots, large blood rings, and blood rots.

Adulteration of the article was alleged in the information for the reason that it consisted in whole or in part of a filthy and decomposed and putrid animal substance.

On November 16, 1922, the case having come on for final disposition before the court and a jury, after the submission of evidence and argument by counsel, the court delivered its charge to the jury which then retired and, after due deliberation, returned a verdict of guilty. The court thereupon assessed a fine of \$100.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*



**11161. Misbranding of Capitol hog remedy, stock remedy, poultry remedy, and cow remedy. U. S. v. 5,625 Pounds of Hog Remedy, et al. Default decrees of condemnation, forfeiture, and destruction. (F. & D. No. 15086. I. S. Nos. 4379-t, 4380-t, 4381-t, 4382-t. S. No. C-3086.)**

On June 28, 1921, the United States attorney for the Southern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 5,625 pounds of hog remedy, 850 pounds of stock remedy, 759 pounds of poultry remedy, and 300 pounds of cow remedy at Columbus Junction, Iowa, alleging that the articles had been shipped by the Capitol Food Co., Tiffin, Ohio, on or about June 25, 1920, and transported from the State of Ohio into the State of Iowa, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that the hog remedy consisted essentially of ground plant material, nux vomica, wormseed, salt, copperas, Epsom salt, soda, and charcoal; that the stock remedy consisted essentially of ground plant material, nux vomica, salt, copperas, charcoal, calcium carbonate, and a trace of Epsom salt; that the poultry remedy consisted essentially of ground plant material, nux vomica, iron ore, calcium carbonate, Epsom salt, red pepper, and sulphur; and that the cow remedy consisted essentially of ground plant material, nux vomica, salt, copperas, charcoal, calcium carbonate, and a trace of Epsom salt.

Misbranding of the articles was alleged in substance in the libels for the reason that the following statements appearing on the labels of the pails and drums containing the respective articles and in the accompanying booklets, (hog remedy) (label) "Capitol Hog Remedy Highly recommended for Hog Cholera, Scrofula, Inflammatory and all contagious diseases peculiar to swine. Cures Indigestion, Purifies the Blood \* \* \* Constant use of Capitol Hog Remedy insures against loss from contagious diseases \* \* \* Save Your Hogs \* \* \* Directions For Young Pigs \* \* \* will prevent diseases \* \* \* keep them \* \* \* healthy," (booklet) "The hog is very susceptible to scrofula, inflammatory and contagious diseases \* \* \* The principal cause of failure to make hog raising profitable is largely due to neglecting \* \* \* to keep the animal in a good, healthy, growing condition and free from the contagious diseases to which hogs are subject. We \* \* \* have formulated Capitol Hog Remedy \* \* \* which we guarantee to cure and prevent cholera, scrofula, inflammatory and all contagious diseases peculiar to swine. We \* \* \* guarantee it to do all we claim for it \* \* \* it will prevent all contagious diseases \* \* \* Capitol Hog Remedy \* \* \* A highly concentrated Remedy for swine \* \* \* a sure preventive and cure for hog cholera, scrofula, inflammatory and all contagious diseases peculiar to swine. It cures indigestion, purifies the blood \* \* \* it will do all and even more than what we claim for it. \* \* \* hogs fed Capitol Hog Remedy regularly are exempt from hog cholera and all kindred diseases \* \* \* Indigestion \* \* \* Treatment \* \* \* add one teaspoonful of Capitol Hog Remedy twice daily for each hog in grain or slop \* \* \* Many of our patrons who use swill from a barrel add from ten to twenty-five pounds of Capitol Hog Remedy every now and then and feel that they are insured against any losses whatsoever from contagious diseases \* \* \* For Hogs Only \* \* \* Is it reasonable to suppose that an ordinary stock remedy will cure and prevent your hogs from having cholera \* \* \* The required dose for a hog of any scientific compound containing the ingredients required to cure and prevent these contagious diseases would certainly be a very bad treatment for a horse or cow \* \* \* Prevention Of Diseases. Hogs are not subject to many diseases but those to which they are susceptible are generally malignant, epidemic or contagious diseases of a very serious nature. The successful hog raiser is the one who bends every energy to prevent such diseases as may cause him serious loss. Under any circumstances it is extremely dangerous to wait until your hogs are sick. The blood should be kept pure and the digestive organs in good, strong condition \* \* \* Procure a pail or even a package of Capitol Hog Remedy and feed it to your hogs entirely at our risk; this will not only protect you from any losses \* \* \* Hog Cholera \* \* \* Treatment \* \* \* Give from two to three tablespoonsful of Capitol Hog Remedy three times a day for each hog \* \* \* Treat well hogs likewise giving them from one to three tablespoonsful of Capitol Hog Remedy two or three times daily until all symptoms disappear \* \* \* Capitol Hog Remedy

\* \* \* If properly fed it will cure and prevent cholera \* \* \* It purifies the blood;" (stock remedy) (label) "Capitol Stock Remedy \* \* \* An Invaluable Remedy In the treatment of diseases peculiar to Horses, Cattle, Hogs and Sheep, such as \* \* \* Glanders, Lung Fever \* \* \* Founder \* \* \* all Diseases arising from Impure Blood \* \* \* Directions for Using Capitol Stock Remedy. Horses \* \* \* influenza \* \* \* glanders, etc. \* \* \* Colts \* \* \* This will \* \* \* prevent disease \* \* \* If diseased, give \* \* \* in ground feed \* \* \* Milch Cows \* \* \* If diseased \* \* \* Cattle. One to two tablespoonfuls twice per day prevents disease \* \* \* Sheep \* \* \* Prevents diseases \* \* \* If diseased, mix one tablespoonful with feed \* \* \* Hogs \* \* \* prevents diseases \* \* \* If diseased, increase to one tablespoonful \* \* \* Hog Cholera \* \* \* swine are more subject to scrofula, inflammatory and contagious diseases than any other stock \* \* \* swine plague \* \* \* They should be supplied with a True Tonic and Blood Purifier, or you are in constant danger of serious losses. As a remedy for Hog Cholera \* \* \* If diseased, increase the amount," (booklet) "Give a spoonful of Capitol Stock Remedy morning and evening and your horse will never be troubled with indigestion or colic \* \* \* cures \* \* \* glanders, lung fever \* \* \* founder \* \* \* diseases of the stomach, kidneys and urinary organs \* \* \* and all diseases arising from impure blood \* \* \* Pneumonia \* \* \* as soon as the animal begins to eat give one tablespoonful Capitol Stock Remedy \* \* \* in the grain rations twice daily which will insure a speedy recovery \* \* \* Whenever a sheep shows signs of sickness \* \* \* If it shows signs of an infectious disease. Give a teaspoonful of Capitol Stock Remedy;" (poultry remedy) (label) "Capitol Poultry Remedy \* \* \* Contains the Elements necessary to cure and prevent Cholera. Prevents sickness \* \* \* To Prevent Diseases In Poultry \* \* \* will keep your poultry in a healthy condition \* \* \* For Chicken Cholera \* \* \* a severe case \* \* \* If too sick to eat \* \* \* pour down the throat," (booklet) "Capitol Poultry Remedy \* \* \* is a highly concentrated remedy containing all the elements necessary to cure and prevent cholera, and all diseases subject to poultry; prevents sickness \* \* \* Capitol Poultry Remedy is \* \* \* guaranteed to cure and prevent diseases \* \* \* Cholera \* \* \* Treatment \* \* \* increase the dose of Capitol Poultry Remedy;" (cow remedy) (label) "Capitol \* \* \* Cow-Ine \* \* \* Prevents Abortion. Stops Scours, cures Barrenness, Caked Udder, Milk Fever \* \* \* Bloating, Red Water. For \* \* \* all ailments to which Cows are subject \* \* \* For abortion \* \* \* removes retained afterbirths, for barrenness, tuberculosis, scours, milk fever, kidney trouble, garget \* \* \* Kidney Troubles, etc. \* \* \* To prevent disease \* \* \* For all Common Ailments \* \* \* For Scours and all other Diseases among Calves," (booklet) "Capitol Cow-Ine \* \* \* prevents abortion, insures a healthy condition \* \* \* It is recommended as the only scientific Cow Remedy for the ailments to which the overworked cow is subject; prevents tuberculosis, stops scours, cures barrenness, caked udder, milk fever \* \* \* bloating, red water; cures \* \* \* all ailments to which cows are subject \* \* \* Abortion In Cows. Commonly known as slinking of calves \* \* \* Treatment \* \* \* Give \* \* \* Cow-Ine twice daily which will effect a speedy recovery. Capitol Cow-Ine given once daily in tablespoonful doses will also prevent this trouble. Epizootic—Abortion In Cows \* \* \* Treatment:—Capitol Cow-Ine has gained a world-wide reputation for preventing this difficulty. We do not know of a single instance where this remedy has been used according to directions, and has failed \* \* \* removes retained afterbirths \* \* \* Scours In Calves \* \* \* Treatment \* \* \* If the calf is weaned give a teaspoonful of Capitol Cow-Ine in milk or slop; if not weaned the regular dose of Capitol Cow-Ine given to the cow will cure and prevent this difficulty \* \* \* Barrenness \* \* \* Give Capitol Cow-Ine daily, with a good balanced ration. This has proven very satisfactory," were false and fraudulent since the said articles contained no ingredients or combinations of ingredients capable of producing the effects claimed.

On December 8, 1921, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the products be destroyed by the United States marshal,

C. W. PUGSLEY, *Acting Secretary of Agriculture.*



**11162. Adulteration of oranges. U. S. v. 396 Boxes of Oranges. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 15802. I. S. No. 18618-t. S. No. C-3450.)**

On March 8, 1922, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 396 boxes of oranges, remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by the Peppers Fruit Co., from Redlands, Calif., February 18, 1922, and transported from the State of California into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Washington Navels Peppers Fruit Co. California."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a decomposed vegetable substance.

On March 9, 1922, the Peppers Fruit Co., claimant, having admitted the allegations of the libel and consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that it be sorted under the supervision of this department, the bad portion destroyed and the good portion delivered to the said claimant.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11163. Adulteration and misbranding of flour. U. S. v. 1,000 Sacks of Flour. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 16433. I. S. No. 14418-t. S. No. W-1106.)**

On June 19, 1922, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1,000 sacks of flour, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by the Cascade Milling & Elevator Co., from Cascade, Mont., on or about June 9, 1922, and transported from the State of Montana into the State of California, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: "Cascade Milling and Elev. Co. Fancy \* \* \* Patent Cascade, Mont. \* \* \* Bleached 98 Lbs. Net When Packed."

Adulteration of the article was alleged in the libel for the reason that water had been mixed and packed with and substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the statement, "98 Lbs. Net When Packed," was false and misleading and deceived and misled the purchaser, and for the further reason that the article was [food] in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On June 21, 1922, the Consolidated Flour Mills Co., San Francisco, Calif., claimant, having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$15,000, in conformity with section 10 of the act, conditioned in part that it be made to conform with the provisions of the said act, under the direction and to the satisfaction of this department.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11164. Adulteration and misbranding of flour. U. S. v. 660 Sacks of Flour. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 16434. I. S. No. 14419-t. S. No. W-1107.)**

On June 19, 1922, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 660 sacks of flour, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by the Jennison Mills Co., from Williston, N. Dak., on or about June 9, 1922, and transported from the State of North Dakota into the State of California, and charging adulteration and misbranding in violation of the Food and



Drugs Act, as amended. The article was labeled in part: "The Rugby Milling Co. World's Best, Made From Hard Spring Wheat, Rugby N. D. 98 pounds net when packed Bleached."

Adulteration of the article was alleged in the libel for the reason that water had been mixed and packed with and substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the statement, "98 pounds net when packed," was false and misleading and deceived and misled the purchaser, and for the further reason that the article was [food] in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On June 29, 1922, the Jennison Mills Co., claimant, having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$2,021.25, in conformity with section 10 of the act, conditioned in part that it be made to conform with the provisions of the said act under the direction and to the satisfaction of this department.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11165. Adulteration and misbranding of olive oil. U. S. v. Vassilia Touris, Louis Touris, and Charles Touris (S. A. Touris). Pleas of guilty. Fine, \$100. (F. & D. No. 16570. I. S. Nos. 6033-t, 6712-t, 8488-t, 8489-t.)**

On December 12, 1922, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Vassilia Touris, Louis Touris, and Charles Touris, theretofore copartners, trading as S. A. Touris, New York, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, in various consignments, namely, on or about June 8, June 10, and September 17, 1921, respectively, from the State of New York into the States of New Jersey, Maryland, and Pennsylvania, respectively, of quantities of olive oil, a portion of which was misbranded and the remainder of which was adulterated and misbranded. The shipments of June 10 and September 17 were labeled in part: "One Gallon" (or "Half Gallon") "Sansone Marca Termini Imerese Pure Olive Oil Imported And Packed By S. A. Touris." The shipment of June 8 was labeled in part: "Net Contents 1 Gallon Il Famoso Olio Per Insalata."

Examination of a sample of the Il Famoso oil by the Bureau of Chemistry of this department showed that it consisted of cottonseed oil and peanut oil. Examination, by said bureau, of the product involved in all the consignments showed that the cans contained less than the quantity declared on the labels.

Adulteration of the Il Famoso oil was alleged in the information for the reason that substances, to wit, cottonseed oil and peanut oil, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength and had been substituted in large part for, to wit, olive oil, which the article purported to be.

Misbranding was alleged with respect to the said Il Famoso oil for the reason that the statements, to wit, "Il Famoso Olio Per Insalata," "Il Termini Imerese," and "Extra Quality," in large type, not corrected by the statement in smaller type and in an inconspicuous place, "Winter pressed cottonseed oil flavored slightly with pure olive oil," together with the designs and devices of olive branches bearing olives and the Italian crown, borne on the cans containing the said article, regarding the article and the ingredients and substances contained therein, were false and misleading in that they represented that the said article was, to wit, olive oil, and that it was a foreign product, to wit, an olive oil produced in the kingdom of Italy, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was, to wit, olive oil, and that it was a foreign product, to wit, an olive oil produced in the kingdom of Italy, whereas, in truth and in fact, it was not, to wit, olive oil, but was a mixture composed in large part of cottonseed oil and peanut oil, and it was not a foreign product, to wit, an olive oil produced in the kingdom of Italy, but was a domestic product, to wit, an article produced in the United States of America. Misbranding was alleged with respect to the said Il Famoso oil for the further reason that the statements, designs, and devices borne on the said cans purported the article to be a foreign product when not so.

Misbranding was alleged with respect to the product involved in all the consignments for the reason that the statements, "One Gallon," "Half Gallon," or "Net Contents 1 Gallon," borne on the respective labels of the cans containing the article, were false and misleading in that they represented that each of the said cans contained one gallon, one-half gallon, or one gallon net of the said article, as the case might be, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of the said cans contained one gallon, one-half gallon, or one gallon net of the said article, as the case might be, whereas, in truth and in fact, each of said cans did not contain one gallon, one-half gallon, or one gallon net of the said article, but did contain a less amount. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the packages.

On December 18, 1922, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$100.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11166. Adulteration of chloroform. U. S. v. 9 One-Pound Cans and 46 Quarter-Pound Cans of Chloroform. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 16608. I. S. Nos. 14136-t, 14137-t. S. No. W-1141.)**

On July 10, 1922, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 9 one-pound cans and 46 quarter-pound cans of chloroform, remaining unsold in the original unbroken packages at Denver, Colo., consigned by the Powers-Weightman-Rosengarten Co., St. Louis, Mo., alleging that the article had been shipped from St. Louis, Mo., in various shipments, namely, on or about April 22, May 20, and June 13, 1922, respectively, and transported from the State of Missouri into the State of Colorado, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Chloroformum Chloroform U. S. P. For Anæsthesia."

Analyses of samples of the article by the Bureau of Chemistry of this department showed that the chloroform in the one-pound packages contained chlorinated decomposition products, and that the chloroform in the quarter-pound packages was turbid and contained impurities, decomposable by sulphuric acid, and chlorinated decomposition products.

Adulteration of the article was alleged in the libel for the reason that it was sold under and by a name recognized in the United States Pharmacopœia, and differed from the standard of strength, quality, and purity as determined by the test laid down by said Pharmacopœia, official at the time of investigation.

On November 20, 1922, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal, such destruction to be carried out by the delivery of the said product to this department to be used for experimental purposes.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11167. Adulteration of oranges. U. S. v. 396 Boxes of Oranges. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 16752. I. S. No. 3860-v. S. No. C-3760.)**

On August 2, 1922, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 396 boxes of oranges at Chicago, Ill., alleging that the article had been shipped by C. M. Brown, Inc., from Redlands, Calif., July 24, 1922, and transported from the State of California into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Crysanthemum Brand."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a decomposed vegetable substance.

On September 1, 1922, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*



**11168. Adulteration of shell eggs. U. S. v. 62 Cases of Eggs. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 16825. I. S. No. 3934-v. S. No. C-3789.)**

On or about August 24, 1922, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 62 cases of eggs, remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by Earl Gough, Granite Falls, Minn., August 18, 1922, and transported from the State of Minnesota into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance in the libel for the reason that it consisted in part of a filthy animal substance, for the further reason that it consisted in part of a decomposed animal substance, and for the further reason that it consisted in part of a putrid animal substance.

On September 7, 1922, Peter Fox & Sons, Chicago, Ill., claimants, having admitted the allegations of the libel and consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimants upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that the eggs be candled under the supervision of this department, the bad portion destroyed and the good portion delivered to the claimants.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11169. Adulteration of oranges. U. S. v. 492 Boxes of Oranges. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 16826. I. S. No. 3888-v. S. No. C-3792.)**

On August 28, 1922, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 492 boxes of oranges, remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by the California Fruit Growers Exchange, from Crown Jewel, Calif., August 10, 1922, and transported from the State of California into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act. A portion of the article was labeled in part: "El Toro Brand." The remainder of the said article was labeled in part: "Cinnatus Brand."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a decomposed vegetable substance.

On September 1, 1922, the California Fruit Growers Exchange having admitted the allegations of the libel and consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that it be sorted under the supervision of this department, the bad portion destroyed and the good portion delivered to the said claimant.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11170. Misbranding of Madame Dean female pills. U. S. v. 1 Dozen Packages and 2 Dozen Packages of Madame Dean Female Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13664. I. S. No. 10373-t. S. No. W-763.)**

On September 4, 1920, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1 dozen packages, single strength, and 2 dozen packages, special strength, of Madame Dean female pills, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by the United Medical Co., Lancaster, Pa., on or about August 24, 1920, and transported from the State of Pennsylvania into the State of California, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the special strength pills contained quinine, aloes, iron sulphate, senecio flowers and herb, ginger, and cornstarch, and that the single strength pills contained quinine, aloes, iron sulphate, hydrastis, ginger, and cornstarch.



Misbranding of the article was alleged in substance in the libel for the reason that the following statements appearing in the labeling of the said article, (box and wrapper) "Female Pills \* \* \* give relief in Female Disorders of the menstrual functions \* \* \* for Painful, Irregular and Scanty Menstruation," (circular) " \* \* \* a great relief against those general complaints the Female Sex is subject to; they help increase the vital quality of the blood; assist to bring nature into its proper channel \* \* \* for irregular, painful, scanty or suppressed menstruations \* \* \* should be taken \* \* \* to assist nature with \* \* \* disorders \* \* \* during the change of life period \* \* \* Continue \* \* \* the treatment until they give relief \* \* \* great relief from Pains or Headache \* \* \* for suppressed Menstruation \* \* \* continue their use until relieved \* \* \* take \* \* \* until the menstrual flow commences again \* \* \* Special Strength \* \* \* should relieve the most obstinate cases," were false and fraudulent since the said article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed.

On June 22, 1922, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11171. Adulteration and misbranding of tomato paste. U. S. v. New Central Canning Co., Inc., a Corporation. Plea of guilty. Fine, \$100. (F. & D. No. 14361. I. S. No. 9506-r.)**

On June 15, 1921, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the New Central Canning Co., Inc., a corporation, trading at Los Angeles, Calif., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about December 29, 1919, from the State of California into the State of Louisiana, of a quantity of tomato paste which was adulterated and misbranded.

Examination of a sample of the article by the Bureau of Chemistry of this department showed that it had been made from partially decayed tomatoes.

Adulteration of the article was alleged in the information for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

Misbranding was alleged for the reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On December 1, 1922, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11172. Misbranding of Allan's compound extract of damiana, Bayne's compound extract of damiana, Vitalo, Parrott sexual pills, and Vitalo nerve and muscle tonic. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 15609, 15610, 15611, 15736, 16063, 16064, 16065, 16066. S. Nos. C-3375, C-3306, C-3307, C-3308, C-3433, C-3434, C-3435, C-3436.)**

On or about November 26, 1921, January 1 and February 4, 1922, respectively, the United States attorney for the Southern District of Alabama, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying the seizure and condemnation of 42 bottles of Allan's compound extract of damiana, 27 bottles of Bayne's compound extract of damiana, 48 bottles of Vitalo, 46 bottles of Vitalo nerve and muscle tonic, and 9 boxes of Parrott sexual pills, remaining unsold in the original unbroken packages in various lots, namely, at Mobile, Brewton, and Selma, Ala., alleging that the articles had been shipped by the Allan-Pfeiffer Chemical Co., St. Louis, Mo., between the dates of April 15, 1920, and October 24, 1921, and transported from the State of Missouri into the State of Alabama, and charging misbranding in violation of the Food and Drugs Act, as amended. A portion of the Allan's compound extract of damiana was labeled in part: (Bottle and carton) "A Tonic For Both Sexes;" (carton) "Nerve and Brain Remedy \* \* \* for Hysteria, Dizziness, Convulsions, Nervous Prostration \* \* \* General Weakness \* \* \* In Nervous Debility." The remainder of the Allan's compound extract of damiana and the Bayne's compound extract of damiana were labeled in part: (Bottle) "Tonic For Both Sexes;" (carton)

"\* \* \* Aphrodisiac \* \* \* For General Weakness \* \* \* Nervous Debility." The Vitalo was labeled in part; (Bottle and carton, large and small sizes) "Aphrodisiac;" (carton, small size) "\* \* \* An Aid In Relieving General Weakness." The Vitalo nerve and muscle tonic was labeled in part: (Carton) "For General Weakness \* \* \* Nervous Debility \* \* \* for the Brain and Muscles." The Parrott sexual pills were labeled in part: (Box and circular) "Sexual Pills \* \* \* Recommended For Hysteria, Dizziness, Nervous Prostration, Nervous Debility and General Weakness."

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that Allan's and Bayne's compound extracts of damiana consisted of extracts of plant drugs, including nux vomica, sugar, alcohol, and water; that the Parrott sexual pills contained strychnine and a compound of iron and phosphorus, coated with calcium carbonate; and that Vitalo and the Vitalo nerve and muscle tonic consisted of extracts of plant drugs, including damiana and nux vomica, sugar, alcohol, and water.

Misbranding was alleged in substance in the libels with respect to the articles involved in all of the consignments for the reason that the above-quoted statements regarding the curative and therapeutic effects thereof were false and fraudulent since the said articles contained no ingredients or combinations of ingredients capable of producing the effects claimed. Misbranding was alleged with respect to the so-called Vitalo, Vitalo nerve and muscle tonic, and a portion of the Allan's compound extract of damiana for the further reason that the labels of the said articles failed to bear statements of the quantity or proportion of alcohol contained therein.

On March 31, May 20, and October 20, 1922, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the products be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11173. Adulteration of egg noodles. U. S. v. John J. Meier (John J. Meier & Co.). Plea of guilty. Fine, \$25 and costs. (F. & D. No. 16027. I. S. No. 175-t.)**

On June 16, 1922, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against John J. Meier, trading as John J. Meier & Co., St. Louis, Mo., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about April 12, 1921, from the State of Missouri into the State of Illinois, of a quantity of egg noodles which were adulterated. The article was labeled in part: "White Cross Brand Egg Nudels \* \* \* Spaghetti and Macaroni John J. Meier & Co. St. Louis, Mo."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it was artificially colored and contained little or no egg solids.

Adulteration of the article was alleged in the information for the reason that a mixture containing little or no egg had been substituted for egg noodles which the said article purported to be, and for the further reason that it was a product inferior to egg noodles, to wit, a mixture which contained little or no egg, and was artificially colored with certain coal-tar dyes, to wit, tartrazine and orange I, so as to simulate the appearance of egg noodles, and in a manner whereby its inferiority to said egg noodles was concealed.

On October 23, 1922, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25 and costs.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11174. Adulteration of chloroform. U. S. v. 800 and 1,500 Tins of Chloroform. Default decree of condemnation and forfeiture. Product ordered disposed of according to law. (F. & D. No. 16469. I. S. Nos. 13973-t, 13974-t. S. Nos. W-1108, W-1121.)**

On June 26, 1922, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 2,300 tins of chloroform, remaining in the original unbroken packages at Los Angeles, Calif., consigned from New York, N. Y., alleging that the article had been shipped in part on or about March 7, 1922, and in part on or about March 10, 1922, and transported in interstate com-



merce, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Chloroform \* \* \* For Anaesthesia."

Analyses of samples of the article by the Bureau of Chemistry of this department showed that the chloroform in the consignment of March 7 was turbid, upon evaporation it left a foreign odor, and it contained hydrochloric acid, free chlorin, impurities decomposable by sulphuric acid, and chlorinated decomposition products, and that the chloroform in the consignment of March 10 was turbid, upon evaporation it left a foreign odor, and it contained chlorids and chlorinated decomposition products.

Adulteration of the article was alleged in the libel for the reason that it was sold under and by a name recognized in the United States Pharmacopœia, and differed from the standard of strength, quality, and purity as determined by the test laid down in said Pharmacopœia, official at the time of investigation.

On July 25, 1922, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be disposed of according to law.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11175. Adulteration of chloroform. U. S. v. 98 Cans of Chloroform. Decree of condemnation and forfeiture. Product disposed of according to law.** (F. & D. No. 16598. I. S. No. 14001-t. S. No. W-1148.)

On July 10, 1922, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 98 cans of chloroform, remaining in the original unbroken packages at Los Angeles, Calif., consigned by the Roessler & Hasslacher Chemical Co., New York, N. Y., alleging that the article had been shipped from New York, N. Y., on or about May 22, 1922, and transported from the State of New York into the State of California, and charging adulteration in violation of the Food and Drugs Act.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it was turbid and contained chlorids, odorous decomposition products, and chlorinated decomposition products.

Adulteration of the article was alleged in the libel for the reason that it was sold under and by a name recognized in the United States Pharmacopœia, and differed from the standard of strength, quality, and purity as determined by the test laid down in said Pharmacopœia, official at the time of investigation.

On October 2, 1922, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be disposed of according to law.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11176. Adulteration of chloroform. U. S. v. 4 Cans of Chloroform. Decree of condemnation and forfeiture. Product disposed of according to law.** (F. & D. No. 16599. I. S. No. 11123-t. S. No. W-1150.)

On July 7, 1922, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 4 cans of chloroform, remaining in the original unbroken packages at Los Angeles, Calif., alleging that the article had been shipped from New York, N. Y., on or about March 29, 1922, and transported from the State of New York into the State of California, and charging adulteration in violation of the Food and Drugs Act.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it was turbid, upon evaporation it left a foreign odor, and it contained chlorids, impurities decomposable by sulphuric acid, and chlorinated decomposition products.

Adulteration of the article was alleged in the libel for the reason that it was sold under and by a name recognized in the United States Pharmacopœia, and differed from the standard of strength, quality, and purity as determined by the test laid down in said Pharmacopœia, official at the time of investigation.

On October 2, 1922, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be disposed of according to law.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*



**11177. Adulteration and misbranding of flour. U. S. v. 510 Sacks of Flour. Decree of condemnation and forfeiture. Product released under bond.** (F. & D. No. 16668. I. S. No. 7954-v. S. No. W-1166.)

On July 25, 1922, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 510 sacks of flour, remaining in the original unbroken packages at Los Angeles, Calif., consigned by the Salt Lake & Jordan Mill & Elevator Co., Sandy, Utah, alleging that the article had been shipped from Sandy, Utah, on or about July 1, 1922, and transported from the State of Utah into the State of California, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: "Capitol Milling Co. Extra Patent No. One Hard Eastern Spring Wheat Extra Bakers Flour Net Weight 98 Lbs. When Packed."

Adulteration of the article was alleged in the libel for the reason that bleached flour had been mixed and packed with and substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the statement, "Capitol Milling Co. \* \* \* 98 Lbs.," was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the containers [contents] was not plainly and conspicuously marked on the outside of the package.

On July 31, 1922, the Capitol Milling Co., Los Angeles, having entered an appearance as claimant for the property, judgment of condemnation was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$3,000, in conformity with section 10 of the act, conditioned in part that the said product be relabeled and the said sacks refilled.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11178. Adulteration of canned salmon. U. S. v. 487 Cases of Salmon. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 16830. I. S. No. 10010-v. S. No. C-3774.)

On or about September 26, 1922, the United States attorney for the Northern District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 487 cases of salmon at Birmingham, Ala., alleging that the article had been shipped by P. E. Harris & Co., Seattle, Wash., on or about December 30, 1921, and transported from the State of Washington into the State of Alabama, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Amelia Brand Chum Salmon, \* \* \* Seattle, U. S. A."

Adulteration of the article was alleged in the libel for the reason that it consisted wholly or in part of a decomposed animal substance.

On January 5, 1923, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11179. Adulteration and misbranding of butter. U. S. v. 22 Tubs and 126 Tubs of Butter. Default decrees of condemnation, forfeiture, and destruction.** (F. & D. Nos. 17028, 17029. I. S. Nos. 2603-v, 2626-v. S. Nos. E-4241, E-4242.)

On December 8, 1922, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 148 tubs of butter, remaining in the original unbroken packages at Philadelphia, Pa., consigned by the Supreme Food Co., Jersey City, N. J., alleging that the article had been shipped from Jersey City, N. J., on or about December 2, 1922, and transported from the State of New Jersey into the State of Pennsylvania, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libels for the reason that coconut oil or other foreign fat had been mixed and packed with and substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the article was an imitation of and offered for sale under the distinctive name of another article, and was sold as butter.

On January 5, 1923, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11180. Misbranding of Orange Blossom female suppositories. U. S. v. John A. McGill and Carrie McGill (Dr. J. A. McGill & Co.). Pleas of guilty. Fine, \$50. (F. & D. No. 9787. I. S. No. 9185-p.)**

On December 31, 1919, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against John A. McGill and Carrie McGill, copartners, trading as Dr. J. A. McGill & Co., Chicago, Ill., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on or about April 30, 1918, from the State of Illinois into the State of Wisconsin, of a quantity of an article labeled in part: (Design of orange blossoms) "Female Suppositories," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of suppositories containing petroliatum, cocoa butter, boric acid, alum, and sodium sulphate.

Misbranding of the article was alleged in substance in the information for the reason that certain statements appearing in the booklet accompanying the said article, regarding the therapeutic and curative effect thereof, falsely and fraudulently represented it to be effective as a remedy, treatment, and cure for diseases peculiar to women, inflammation, congestion and falling of the womb, anteversion, retroversion and prolapsus, ulceration, leucorrhœa, profuse and difficult menstruation, female weakness, painful menstruation, effective to relieve suffering at childbirth and to relieve the organ of morbid conditions in cases of change of life, and effective to give relief to nervous sick headache, backache, irritation of the stomach, spinal irritation, pain between the shoulders, distressing sensation in the back of the head and nape of the neck, and numbness and coldness of the extremities, when, in truth and in fact, it was not.

On December 15, 1922, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$50.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11181. Misbranding of Hobo kidney and bladder remedy. U. S. v. 5 Gross and 2½ Gross Bottles of Hobo Kidney and Bladder Remedy. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 12434, 12435, 12612, 12614, 12615. I. S. Nos. 8875-r, 9480-r, 9677-r, 9678-r, 9841-r, 9842-r. S. Nos. C-1890, C-1895, C-1896, C-1922, C-1923.)**

On April 26 and 27, 1920, respectively, the United States attorney for the Northern District of Texas, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 7½ gross bottles of Hobo kidney and bladder remedy, remaining in the original packages, in part at Fort Worth, Tex., and in part at Dallas, Tex., alleging that the article had been shipped by the Hobo Medicine Mfg. Co., Shreveport, La., about March 20, 1920, and transported from the State of Louisiana into the State of Texas, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton) "Kidney & Bladder Remedy A Vegetable Compound Manufactured From Native Herbs \* \* \* Bright's Disease Acute & Chronic Cystitis Renal & Vesical Pus or Blood in Urine. Incontinence Albuminuria & Ailments caused from Defective (Kidney & Bladder) Elimination \* \* \* One of the Greatest Alteratives \* \* \* Back Ache, Persistent Head Ache \* \* \* Forgetfulness, Weakness and Rheumatism When Caused by Disordered Kidneys, the Same Being True of Inflammation of the Bladder;" (bottle) "Kidney and Bladder Remedy A Vegetable Compound for the Treatment of Brights Disease, Acute and Chronic Cystitis, Renal and Vesical Pus or Blood in Urine, Incontinence and Retention, Albuminuria and all Ailments caused from Defective (Kidneys and Bladder) Elimination;" (booklet) "For nearly three years, Mr. G. D. Horton \* \* \* was a sufferer from Bright's disease in its most malignant form \* \* \* Within three days \* \* \* Mr. Horton was greatly improved, and within two months restored to health without any recurrence of the malady in the intervening years \* \* \* Mr. Horton has named the preparation Hobo Kidney and Bladder Remedy \* \* \* it not only gave speedy relief to all the tortures which kidney and bladder affections [afflictions] entailed, such as incontinence of urine, gravel in the bladder,



irritated glands, backaches, kindred complaints, but that in many instances the cures were absolutely permanent \* \* \* If your case is of long standing, do not expect one or two bottles to cure you \* \* \* you must continue to take the medicine—a half-dozen, a dozen bottles—yes, until you feel absolutely sure every vestige of your trouble has been removed.”

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of small quantities of extract of a plant drug similar to *Galium aparine*, benzoic acid, salicylic acid, and water. Water constituted 98 per cent of the article and the dissolved matter, 2 per cent.

Misbranding of the article was alleged in substance in the labels for the reason that the above-quoted statements, appearing on the carton and bottle containing the said article and in the accompanying circular, were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the therapeutic effects claimed, to wit, the treatment and cure of kidney and bladder trouble, Bright's disease, acute and chronic cystitis, renal and vesical pus or blood in urine, incontinence, albuminuria and ailments caused from defective kidney and bladder elimination, backache, persistent headache, dizziness, forgetfulness, weakness and rheumatism, when caused by disordered kidneys, and also inflammation of the bladder.

On March 3 and December 11, 1922, respectively, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11182. Misbranding of Gombault's caustic balsam. U. S. v. Lawrence-Williams Co., a Corporation. Plea of nolo contendere. Fine, \$100 and costs. (F. & D. No. 13924. I. S. No. 7879-r.)**

On April 4, 1921, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Lawrence-Williams Co., a corporation, Cleveland, Ohio, alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about March 3, 1919, from the State of Ohio into the State of Indiana, of a quantity of Gombault's caustic balsam which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it was a mixture of a fatty oil with approximately 20 per cent by volume of turpentine oil.

Misbranding of the article was alleged in substance in the information for the reason that certain statements, designs, and devices regarding the therapeutic and curative effects thereof, appearing on the labels of the bottles and cartons containing the article and in the accompanying booklet and circular, falsely and fraudulently represented it to be effective as a treatment, remedy, and cure for azoturia (paralysis of hind quarters), bladder inflammation, bog spavin, blood spavin, bone spavin, bronchocele, or goiter, broncho-pleuro pneumonia, congestion of lungs, distemper, dropsy, elbow tumors, enteritis (inflammation of bowels), exotosis (bony tumor), farcy, fistula, influenza, liver disease, ophthalmia (sore eyes), pleurisy, peritonitis, paralysis, roaring, scrotal swellings, side bones, splint, strangles, broken wind, founder, ringbone, pink eye, bony tumors, spavin, poll evil, splints, capped hock, sweeten, all lameness, all skin diseases and parasites, diphtheria, mange and navicular disease, rheumatism, rheumatic troubles, lumbago, muscular rheumatism, stiff and enlarged joints, neuralgia, sore throat, quinsy, sore lungs, chest cold, felons, boils, cancer, cancerous sores, old sores, sty, blood poisoning, diphtheria, laryngitis, corns, bunions, and any old and chronic ailments, when, in truth and in fact, it was not.

On December 8, 1922, a plea of nolo contendere to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100 and costs.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11183. Misbranding of Vital Sparks and manhood tablets. U. S. v. 10 Packages and 3 Dozen Boxes of Vital Sparks and 28 Cases of Drugs. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 15224, 15387, 15477. S. Nos. C-3124, C-3273, C-3580.)**

On or about July 21, September 15, and October 18, 1921, respectively, the United States attorneys for the Southern District of Mississippi, the Eastern District of Pennsylvania, and the Southern District of Alabama, respectively,



acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said respective districts libels praying the seizure and condemnation of 10 packages of Vital Sparks at Jackson, Miss., 3 dozen boxes of Vital Sparks at Philadelphia, Pa., and 28 cases of drugs labeled "Manhood Tablets" at Mobile, Ala., said articles remaining in the original unbroken packages, consigned by the Hollander-Koshland Co., Baltimore, Md., alleging that the articles had been shipped from Baltimore, Md., May 13, 1921, July 8, 1921, and April 28, 1920, respectively, and transported from the State of Maryland into the States of Mississippi, Pennsylvania, and Alabama, respectively, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that the Vital Sparks consisted of gelatin capsules, each containing a fatty oil, colored red, and a sugar-coated pill of zinc phosphid, damiana, and strychnine, and that the manhood tablets consisted of sugar-coated pills of zinc phosphid, damiana, and strychnine.

Misbranding of the articles was alleged in substance in the libels for the reason that certain statements appearing in the labeling of the respective articles, regarding the curative and therapeutic effects thereof, falsely and fraudulently represented that the so-called Vital Sparks was effective as a powerful nerve stimulant, and that when the directions were followed a marked improvement in strength and vitality and in the normal functioning of the sexual organs might be expected, and that the so-called manhood tablets were effective for use in the treatment of sexual weakness or impotence, lost manhood, debility, lack of virility and impotence, atonic impotence, prostatorrhœa and spermatorrhœa, that it would be effective in restoring a normal condition of the functions, and that a marked improvement might be expected within a comparatively short time, whereas, in truth and in fact, the said articles contained no ingredients or combinations of ingredients capable of producing the effects claimed.

On November 7, 1921, October 3, 1921, and May 20, 1922, respectively, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the products be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11184. Misbranding of butter. U. S. v. Yalobusha Cooperative Creamery, a Corporation. Plea of guilty. Fine, \$25. (F. & D. No. 16021. I. S. No. 1489-t.)**

On April 17, 1922, the United States attorney for the Northern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Yalobusha Cooperative Creamery, a corporation, Water Valley, Miss., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about July 29, 1921, from the State of Mississippi into the State of Louisiana, of a quantity of butter which was misbranded. The article was labeled in part: "Water Valley Ole Miss Pasteurized Mississippi Creamery Butter One Pound Net \* \* \* Yalobusha Co-op. Cry. Co. Water Valley, Mississippi."

Examination of a sample of the article by the Bureau of Chemistry of this department showed that the average net weight of 30 prints was 15.35 ounces.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "One Pound Net," borne on the packages containing the article, regarding the said article, was false and misleading in that it represented that each of the said packages contained one pound net of the said article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of the said packages contained one pound net of the article, whereas, in truth and in fact, each of the said packages did not contain one pound net of the article, but did contain a less amount. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On December 4, 1922, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$25.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11185. Misbranding of Dr. DeWitt's eclectic cure and Dr. DeWitt's liver, blood, and kidney remedy. U. S. v. 2 Dozen Bottles, et al., of Dr. DeWitt's Eclectic Cure and 9 Bottles, et al., of Dr. DeWitt's Liver, Blood, and Kidney Remedy. Default decrees of condemnation, forfeiture, and destruction.** (F. & D. Nos. 16450, 16451, 16452, 16453, 16454, 16455, 16462, 16463, 16464, 16472, 16473, 16474. S. Nos. E-3966, E-3976, E-3979, E-3980, E-3981, E-3984, E-3985, E-3986.)

On June 23, 26, and 27, 1922, respectively, the United States attorney for the Eastern District of North Carolina, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 15½ dozen bottles of Dr. DeWitt's eclectic cure and 7½ dozen bottles of Dr. DeWitt's liver, blood, and kidney remedy, remaining in the original unbroken packages, in various lots, at Belhaven, Elizabeth City, Oriental, New Bern, Goldsboro, and Wilson, N. C., alleging that the articles had been shipped by the W. J. Parker Co., Baltimore, Md., between the dates of March 9 and 28, 1922, and transported from the State of Maryland into the State of North Carolina, and charging misbranding in violation of the Food and Drugs Act, as amended. The Dr. DeWitt's eclectic cure was labeled in part: (Bottle) "Cure \* \* \* For Cramps, Colic and Diarrhoea \* \* \* Indigestion \* \* \* Horse Colic;" (carton) (English) "Cure \* \* \* for Indigestion, Diarrhoea, Cramps, Cramp Colic, Neuralgia, Headache, Toothache, Sore Throat, &c. \* \* \* Cholera \* \* \* Cholera Morbus \* \* \* Rheumatism and pains generally \* \* \* Sprains or Frosted Feet," (French and other foreign languages) "Cure for the relief of pains of the Stomach and Intestines, Colics and intestinal Cramps and Diarrhoea;" (circular) (in shipping package) "Cure \* \* \* for Indigestion, Diarrhoea, Cramps, Cramp Colic, Neuralgia, Headache, Toothache, Sore Throat, &c. \* \* \* spasmodic attacks \* \* \* Swelling of the Stomach \* \* \* Sprains \* \* \* Horse Colic \* \* \* Chicken Cholera." The Dr. DeWitt's liver, blood, and kidney remedy was labeled in part: (Bottle and circular) "Recommended for Relief of Diabetes;" (bottle, carton, and circular) "Dr. DeWitt's Liver, Blood and Kidney Remedy \* \* \* Recommended for Relief of Inflammation of the Bladder, Malaria, General Debility, Pains Under Shoulder Blades, Back and Sides And Diseases arising from Derangement of the Kidneys and Liver;" (carton only) "Blood Purifier and for Kidney and Liver Diseases."

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that the eclectic cure consisted of volatile oils, including peppermint and sassafras oils, spices, including capsicum and ginger, ether, 67 per cent of alcohol, and water, and that the liver, blood, and kidney remedy consisted of Epsom salt, extracts of plant drugs, including senna and buchu, a trace of iodid, 11 per cent of alcohol, and water.

Misbranding of the articles was alleged in substance in the libels for the reason that the above-quoted statements, designs, and devices, regarding the therapeutic or curative effects of the said articles, appearing in the labeling thereof, were false and fraudulent since the said articles contained no ingredients or combinations of ingredients capable of producing the effects claimed.

On October 6, 10, 17, and 24, 1922, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the products be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11186. Adulteration of shell eggs. U. S. v. 25 Cases of Eggs. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 16678. I. S. No. 3852-v. S. No. C-3704.)

On or about July 14, 1922, the United States attorney for the Northern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 25 cases of eggs at Sioux City, Iowa, alleging that the article had been shipped by the Farmers Union Cooperative Assoc., from Carroll, Nebr., on or about July 6, 1922, and transported from the State of Nebraska into the State of Iowa, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance in the libel for the reason that it consisted in part of a filthy animal substance, for the further reason



that it consisted in part of a decomposed animal substance, and for the further reason that it consisted in part of a putrid animal substance.

On October 21, 1922, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11187. Misbranding of butter. U. S. v. 30 Cases of Butter. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 16773. I. S. No. 3015-v. S. No. E-4139.)**

On August 25, 1922, the United States attorney for the Northern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 30 cases, each containing 32 cartons of butter, remaining in the original unbroken packages at Atlanta, Ga., alleging that the article had been shipped by Swift & Co., from Nashville, Tenn., on or about August 14, 1922, and transported from the State of Tennessee into the State of Georgia, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: "Brookfield Creamery Butter 1 Lb. Net \* \* \* Swift & Company Distributors."

Misbranding of the article was alleged in the libel for the reason that the statement on the label, to wit, "1 Lb. Net," was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was [food] in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On September 9, 1922, the Cumberland Valley Creamery, Inc., Nashville, Tenn., having entered an appearance as claimant for the property and having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$350, in conformity with section 10 of the act.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11188. Adulteration and misbranding of butter. U. S. v. 10 Tubs of Butter. Decree of forfeiture. Product released under bond. (F. & D. No. 16774. I. S. No. 3016-v. S. No. E-4146.)**

On August 25, 1922, the United States attorney for the Northern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 10 tubs of butter, remaining in the original unbroken packages at Atlanta, Ga., alleging that the article had been shipped by the Great Atlantic & Pacific Tea Co., from Chicago, Ill., on or about August 8, 1922, and transported from the State of Illinois into the State of Georgia, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Extra Fancy Butter The Great Atlantic & Pacific Tea Co. Atlanta, Ga. Chicago, Ill. 5792."

Adulteration of the article was alleged in substance in the libel for the reason that excessive water had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality, for the further reason that a substance, to wit, water, had been substituted wholly or in part for the said article, and for the further reason that a valuable constituent thereof, to wit, butterfat, had been wholly or in part abstracted therefrom.

Misbranding was alleged in substance for the reason that the statement borne on the label and on the packages containing the article, regarding the same and the contents of the said packages, to wit, "Extra Fancy Butter," was false and misleading and deceived and misled purchasers. Misbranding was alleged for the further reason that the article was an imitation of and offered for sale under the distinctive name of another article.

On September 2, 1922, the Great Atlantic & Pacific Tea Co. having entered an appearance as claimant for the property and having admitted the allegations contained in the libel, judgment was entered by the court declaring the product forfeited and providing that it might be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$230, in conformity with section 10 of the act, conditioned in part that it be remade into butter of legal composition.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*



**11189. Adulteration of shell eggs. U. S. v. 380 Cases of Eggs. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 16828. I. S. No. 3936-v. S. No. C-3798.)**

On August 31, 1922, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 380 cases of eggs, remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by the Hastings Poultry Co., Hastings, Nebr., August 19, 1922, and transported from the State of Nebraska into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance in the libel for the reason that it consisted in part of a filthy animal substance, for the further reason that it consisted in part of a decomposed animal substance, and for the further reason that it consisted in part of a putrid animal substance.

On September 7, 1922, the Omaha Cold Storage Co., Chicago, Ill., claimant, having admitted the allegations of the libel and consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that the eggs be candled under the supervision of this department, the bad portion destroyed and the good portion delivered to the claimant.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11190. Adulteration and misbranding of kidney beans. U. S. v. 59 Cases of Kidney Beans. Default decree ordering destruction of the product. (F. & D. Nos. 12192, 12193, 12194, 12195. I. S. Nos. 17460-r, 17461-r, 17462-r, 17463-r, 17464-r. S. No. E-1988.)**

During the month of February, 1920, the United States attorney for the Northern District of West Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 59 cases of kidney beans, remaining unsold in the original packages at Wheeling, W. Va., alleging that the article had been shipped by the Marshall Canning Co., Marshalltown, Iowa, on or about December 15, 1919, and transported from the State of Iowa into the State of West Virginia, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Uncle William Brand Red Kidney Beans \* \* \* Packed by Marshall Canning Co. Marshalltown, Iowa, U. S. A."

Adulteration of the article was alleged in the libel for the reason that long cranberry beans had been mixed and packed with and substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the statement on the label, "Red Kidney Beans," was false and misleading and deceived and misled the purchaser when applied to a product consisting of long cranberry beans. Misbranding was alleged for the further reason that the article was an imitation of and sold under the distinctive name of another article.

On December 6, 1922, no claimant having appeared for the property, judgment of the court was entered ordering that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11191. Adulteration and misbranding of salad oil. U. S. v. 60 Gallon Cans and 24 Half-Gallon Cans of Salad Oil. Default decree of condemnation and forfeiture. Product delivered to charitable institution. (F. & D. No. 15280. I. S. Nos. 6941-t, 6942-t. S. No. E-3489.)**

On July 29, 1921, the United States attorney for the Eastern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 60 gallon cans and 24 half-gallon cans of salad oil, remaining unsold in the original unbroken packages within the Borough of Richmond, N. Y., alleging that the article had been shipped by the Littauer Oil Co., Guttenberg, N. J., on or about June 17, 1921, and transported from the State of New Jersey into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "One Gallon" (or "One Half Gallon") "Joan of Arc Brand \* \* \* A Pure Salad Oil Blended With Pure Olive Oil \* \* \* Better Than Olive

Oil \* \* \* For Mayonnaise Salad Dressing \* \* \* Littauer Oil Co. Guttenberg, N. J."

Adulteration of the article was alleged in the libel for the reason that cottonseed oil had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength and had been substituted wholly or in part for the said article, and for the further reason that it was mixed in a manner whereby its inferiority was concealed.

Misbranding was alleged for the reason that the statement on the label, "Blended With Pure Olive Oil," was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was an imitation of and was offered for sale under the distinctive name of another article.

On October 13, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and on February 16, 1922, it was ordered by the court that the product be delivered to a charitable institution.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11192. Adulteration of kidney beans. U. S. v. 746 Bags and 1,078 Bags Containing Beans. Consent decrees of condemnation and forfeiture. Product released under bond. (F. & D. No. 15812. S. No. E-3824.)**

On March 28, 1922, the United States attorney for the Eastern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 1,824 bags containing beans, remaining unsold in the original unbroken packages at Brooklyn, N. Y., alleging that the article had been shipped from Bombasa, British East Africa, in part on or about February 25 and in part on or about April 20, 1920, and transported from a foreign country into the State of New York, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Kidney Beans."

Adulteration of the article was alleged in the libels for the reason that it consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance.

On August 24 and September 21, 1922, respectively, the Standard Bank of South Africa, Ltd., and the Park Union Foreign Banking Corporation, both incorporated under the laws of the State of New York, having entered appearances as claimants for respective portions of the property, and having admitted the allegations of the libels and consented to the entry of decrees, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be released to the said claimants upon payment of the costs of the proceedings and the execution of bonds in the aggregate sum of \$750, in conformity with section 10 of the act, conditioned in part that such product be used for hog feed only.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11193. Misbranding of Syrup Leptinol. U. S. v. 20 Bottles of Syrup Leptinol. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 16090. S. No. C-3510.)**

On April 10, 1922, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 20 bottles of Syrup Leptinol, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped by the Balsamea Co., San Francisco, Calif., on or about July 28, 1920, and transported from the State of California into the State of Missouri, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Bottle and wrapper) "Indicated In Epidemic Influenza \* \* \* Bronchial Asthma, Whooping Cough;" (booklet) "Indicated In Pulmonary Tuberculosis Influenza Pneumonia Bronchial Asthma \* \* \* Whooping Cough Laryngitis."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of extract of *Leptotania dissecta*, sugar, glycerin, alcohol, and water.

Misbranding of the article was alleged in the libel for the reason that the above-quoting statements regarding the curative and therapeutic effects of the said article were false and fraudulent since it contained no ingredient or combination of ingredients capable of producing the effects claimed.



On January 4, 1923, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11194. Adulteration and misbranding of canned shrimp. U. S. v. 899 Cases and 72 Cases of Shrimp. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 16613, 16705. I. S. Nos. 18449-t, 6403-v. S. Nos. C-3690, C-3754.)**

On July 10 and August 4, 1922, respectively, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 971 cases of canned shrimp, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped by Wm. Gorenflo & Co., Brunswick, Ga., on or about March 19, 1921, and transported from the State of Georgia into the State of Missouri, and charging adulteration with respect to a portion thereof, and adulteration and misbranding with respect to the remainder, in violation of the Food and Drugs Act, as amended. A portion of the article was labeled in part: (Cans) "Crown Brand Fresh Barataria Shrimp  $8\frac{1}{2}$  Ounces Packed By Wm. Gorenflo & Co. Biloxi, Miss." The remainder of the said article was labeled in part: (Cans) "Crown Brand Fresh Shrimp \* \* \* Packed By Wm. Gorenflo & Co. Main Office Biloxi, Miss."

Adulteration of both lots of the article was alleged in the libels for the reason that it consisted wholly or in large part of a filthy, decomposed, and putrid animal substance.

Misbranding was alleged with respect to a portion of the article for the reason that the statements appearing on the labels of the cans containing the said article, "Barataria Shrimp  $8\frac{1}{2}$  Ounces," were false and misleading and deceived and misled the purchaser, and for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On January 4 and 5, 1923, respectively, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11195. Adulteration of chloroform. U. S. v. 224 Packages of Chloroform. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 16644. S. Nos. C-3708, C-3711.)**

On July 19, 1922, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 224 packages of chloroform, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped by the New York Quinine & Chemical Works, New York, N. Y., in part on or about April 20 and in part on or about June 7, 1922, and transported from the State of New York into the State of Missouri, and charging adulteration in violation of the Food and Drugs Act. The article was contained in 1-pound and 7-pound packages labeled in part: "One Pound" (or "Seven Pounds") "Chloroform U. S. P. This product is specially purified for inhalation. Contains 1 per cent. Alcohol New York Quinine and Chemical Works \* \* \* New York City."

Analyses of samples of the article by the Bureau of Chemistry of this department showed that it was turbid and contained chlorids, impurities decomposable by sulphuric acid, and chlorinated decomposition products.

Adulteration of the article was alleged in the libel for the reason that it was sold under and by a name recognized in the United States Pharmacopœia, and differed from the standard of strength, quality, and purity as determined by the test laid down in said Pharmacopœia.

On January 4, 1923, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*



**11196. Adulteration of coriander seed. U. S. v. 6 Sacks of Coriander Seed. Default decree of condemnation, forfeiture, and destruction (F. & D. No. 16645. S. No. C-3714.)**

On July 21, 1922, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 6 sacks of coriander seed, remaining unsold in the original unbroken sacks in the possession of the David G. Evans Coffee Co., St. Louis, Mo., alleging that the article had been shipped from East St. Louis, Ill., on or about June 29, 1922, and transported from the State of Illinois into the State of Missouri, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "From David G. Evans Coffee Co., St. Louis, Mo."

Adulteration of the article was alleged in the libel for the reason that worm-eaten seeds, weed seeds, dirt, and mouse excreta had been mixed and packed with and substituted wholly or in part for the said article, and for the further reason that it consisted wholly or in large part of filthy vegetable substances.

On January 5, 1923, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11197. Misbranding of Orange Blossom female suppositories. U. S. v. 193 Boxes of Orange Blossom Female Suppositories. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 16652. S. No. C-3712.)**

On July 21, 1922, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 193 boxes of Orange Blossom female suppositories, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped by Dr. J. A. McGill & Co., Chicago, Ill., in part on or about May 24 and in part on or about June 29, 1922, and transported from the State of Illinois into the State of Missouri, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the suppositories consisted essentially of cocoa butter, petrolatum, boric acid, sodium sulphate, and a little flour.

Misbranding of the article was alleged in substance in the libel for the reason that the following statements appearing in the circular accompanying the said article, to wit, " \* \* \* for Diseases Peculiar To Women \* \* \* Female Weakness \* \* \* In cases of Pregnancy, the Suppositories may be safely used up to the fourth month \* \* \* consequently relieving the patient of much suffering at child-birth. In cases of Change of Life, the Suppositories will relieve the organ of the morbid conditions \* \* \* Nervous sick headache, backache, irritation of the stomach, spinal irritation, pain between the shoulders, distressing sensation in the back of the head, nape of the neck, and numbness and coldness of the extremities. In these cases the Suppositories will give relief by their action on the womb \* \* \* For \* \* \* Inflammation, Congestion and Falling of the Womb, eversion [anteversion], Retroversion and Prolapsus, Ulceration, Leucorrhoea, Profuse and Difficult Menstruation," were false and fraudulent since the said article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed.

On January 5, 1923, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11198. Misbranding of Eckman's alternative. U. S. v. 71 Bottles, et al., of Eckman's Alternative. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 16722, 16723, 16724, 16725, 16726, 16727. S. Nos. E-4092, E-4093, E-4097, E-4098, E-4118, E-4119.)**

On August 11, 1922, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 363 bottles, large size, and 530 bottles, small size, of Eckman's

alterative at New York, N. Y., alleging that the article had been shipped by the Burrows-Little-White Co., Philadelphia, Pa., between the dates of December 28, 1921, and July 1, 1922, and transported from the State of Pennsylvania into the State of New York, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of 3.3 per cent of calcium chlorid, 2.3 per cent of plant extracts, and 94.4 per cent of water, flavored with clove oil.

Misbranding of the article was alleged in substance in the libels for the reason that the following statements regarding its curative and therapeutic effects, appearing on the cartons and bottles containing the said article, "Eckman's Alterative For use in the following Throat and Lung Affections Bronchial Asthma, Catarrhal Bronchitis and Pulmonary Troubles, Stubbörn Coughs and Colds," were false and fraudulent since the said article did not contain any ingredient or combination of ingredients capable of producing the effects claimed.

On November 23, 1922, the cases having been consolidated into one action and the Burrows-Little-White Co., Philadelphia, Pa., claimant, having admitted the allegations of the libels and consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that it be relabeled under the supervision and to the satisfaction of this department.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11199. Misbranding of sweet potatoes. U. S. v. George R. Martin, Wade High, John Clarence Wish, William Henry Stephens, Fred P. Ford, Galin O. Pace, Sam P. Smith, and William G. Garlington (Cabot Truck Growers). Pleas of guilty. Fine, \$40. (F. & D. No. 16845. I. S. No. 13907-t.)**

On December 15, 1922, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against George R. Martin, Wade High, John Clarence Wish, William Henry Stephens, Fred P. Ford, Galin O. Pace, Sam P. Smith, and William G. Garlington, trading as Cabot Truck Growers, Cabot, Ark., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about March 15, 1922, from the State of Arkansas into the State of Colorado, of a quantity of sweet potatoes in crates which were misbranded.

Misbranding of the article was alleged in the information for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On December 22, 1922, the defendants entered pleas of guilty to the information, and the court imposed fines in the aggregate amount of \$40.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11200. Adulteration and misbranding of meat scraps. U. S. v. Darling & Co., a Corporation. Plea of guilty. Fine, \$50. (F. & D. No. 9441. I. S. Nos. 15135-p, 15137-p, 15158-p.)**

On March 20, 1919, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Darling & Co., a corporation, Chicago, Ill., alleging shipment by said company, in violation of the Food and Drugs Act, in various consignments, namely, on or about July 21, August 30, and December 20, 1917, respectively, from the State of Illinois into the State of Indiana, of quantities of meat scraps which were adulterated and misbranded. The article was labeled in part: "Darling's High Protein Meat Scraps for Poultry Guaranteed Analysis Protein Min. 55.0% \* \* \* Meat Product Manufactured by Darling & Company, Union Stock Yards, Chicago, Ill."

Analyses, by the Bureau of Chemistry of this department, of samples of the article taken from each of the consignments showed the presence of 50.6, 48.9, and 52.6 per cent, respectively, of protein and 32.0, 30.6, and 28.2 per cent, respectively, of total ash.

Adulteration of the article was alleged in the information for the reason that extraneous materials high in ash had been mixed and packed therewith so as

to lower and reduce and injuriously affect its quality and strength and had been substituted in part for meat scraps which the said article purported to be.

Misbranding was alleged for the reason that the statements, to wit, "High Protein Meat Scraps," "Guaranteed Analysis Protein Min. 55.0%," and "Meat Product," borne on the sacks containing the article, regarding the said article and the ingredients and substances contained therein, were false and misleading in that the said statements represented that the article consisted wholly of meat products and contained not less than 55 per cent of protein, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it consisted wholly of meat products and contained not less than 55 per cent of protein, whereas, in truth and in fact, it did not consist wholly of meat products, but did consist in part of extraneous materials high in ash, and each of the various consignments contained less than 55 per cent of protein, to wit, 50.6, 48.9, and 52.6 per cent of protein, respectively.

On January 10, 1923, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*



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# United States Department of Agriculture.

## SERVICE AND REGULATORY ANNOUNCEMENTS.

### BUREAU OF CHEMISTRY.

### SUPPLEMENT.

N. J. 11201-11250.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., April 23, 1923.]

### NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

**11201. Misbranding of olive oil. U. S. v. Poletti & Co., Inc., a Corporation. Plea of guilty. Fine, \$50.** (F. & D. No. 16564. I. S. Nos. 5452-t, 5453-t, 5454-t, 5527-t, 5528-t, 7041-t, 7042-t, 7044-t, 7046-t, 15484-t.)

On December 13, 1922, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Poletti & Co., Inc., a corporation, New York, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, in various consignments, namely, on or about May 19, July 13, July 15, and July 23, 1921, respectively, from the State of New York into the State of Connecticut, and on or about May 28 and June 13, 1921, respectively, from the State of New York into the State of Vermont, of quantities of olive oil which was misbranded. A portion of the article was labeled in part: "Contains One Gallon" (or "Half Gallon" or "One Quart") "Full Measure Mariani Pure Olive Oil." The remainder of the article was labeled in part: "Marconi Brand Finest Pure Olive Oil Extra Fine Half Full Gallon" (or "Quarter Full Gallon").

Examination by the Bureau of Chemistry of this department of samples from the cans of the Mariani brand of the article showed an average shortage in the cans examined as follows: Gallons, 7.1 and 8.5 per cent, respectively; half gallons, 5.1 and 5.6 per cent, respectively; quarts, 3.0, 3.2, and 3.6 per cent, respectively. Examination by said bureau of the cans of the Marconi brand of the article showed an average shortage in the cans examined as follows: Half gallons, 0.9 per cent; quarter gallons, 2.6 per cent.

Misbranding of the article was alleged in the information for the reason that the statements borne on the various-sized cans containing the respective brands of the article, regarding the said article, to wit, "Contains One Gallon Full Measure," "Contains Half Gallon Full Measure," "Contents [Contains] One Quart Full Measure," "Contains One Quart Full Measure," "Half Full Gallon," and "Quarter Full Gallon," were false and misleading in that the said statements represented that each of the said cans contained one full gallon, one full half gallon, one full quart, or one full quarter gallon, as the case might be, of the said article, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of the said cans contained one full gallon, one full half gallon, one full quart, or one full quarter gallon, as the case might be, of the said article, whereas, in truth and in fact, each of said cans did not contain one full gallon, one full half gallon, one full quart, or one full quarter gallon, as the case might be, of the said article, but did contain a less amount. Misbranding was alleged for the



further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the packages.

On December 26, 1922, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11202. Misbranding of olive oil. U. S. v. John Papadeas. Plea of guilty. Fine, \$75.** (F. & D. No. 16572. I. S. Nos. 8136-t, 10834-t, 22561-t.)

On December 14, 1922, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against John Papadeas, New York, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about June 20 and October 11, 1921, respectively, from the State of New York into the States of Utah, Pennsylvania, and Ohio, respectively, of quantities of olive oil which was misbranded. A portion of the article was labeled in part: "Imported Olive Oil \* \* \* JP Brand  $\frac{1}{2}$  Gal. Net Contents \* \* \* John Papadeas Importer and Packer." The remainder of the article was labeled in part: "Olio d'Oliva \* \* \* La Preferita Brand 1 Gal. Net Contents \* \* \* J. Papadeas Importer and Packer."

Examination of samples of the article by the Bureau of Chemistry of this department showed that the average volume of 4 cans of the La Preferita brand labeled "1 Gal. Net Contents" was 0.985 gallon, that the average volume of 46 cans of the JP brand labeled " $\frac{1}{2}$  Gal. Net Contents" was 0.485 gallon, and that the average volume of 38 cans of the JP brand labeled "Net Contents  $\frac{1}{4}$  Gal." was 0.954 quart.

Misbranding of the article was alleged in the information for the reason that the statements, to wit, " $\frac{1}{2}$  Gal. Net Contents," "1 Gal. Net Contents," and "Net Contents  $\frac{1}{4}$  Gallon," borne on the respective-sized cans containing the article, regarding the said article, were false and misleading in that they represented that each of the said cans contained one gallon, one-half gallon, or one-quarter gallon, as the case might be, of the said article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of the said cans contained one gallon, one-half gallon, or one-quarter gallon, as the case might be, of the said article, whereas, in truth and in fact, each of said cans contained a less amount. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On December 26, 1922, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$75.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11203. Adulteration of shell eggs. U. S. v. 7 Cases of Eggs. Default decree of condemnation, forfeiture, and sale.** (F. & D. No. 16835. I. S. No. 7538-v. S. No. W-1215.)

On September 2, 1922, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 7 cases of eggs, remaining unsold in the original unbroken packages at Denver, Colo., consigned by Gauson & Gauson, Hershey, Nebr., alleging that the article had been shipped from Hershey, Nebr., on or about August 28, 1922, and transported from the State of Nebraska into the State of Colorado, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid animal substance.

On November 20, 1922, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the bad portion be destroyed and the good portion sold by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11204. Adulteration of shell eggs. U. S. v. 12 Cases of Eggs. Default decree of condemnation, forfeiture, and sale.** (F. & D. No. 16832. I. S. No. 7541-v. S. No. W-1216.)

On September 9, 1922, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the

District Court of the United States for said district a libel for the seizure and condemnation of 12 cases of eggs, remaining unsold in the original unbroken packages at Denver, Colo., consigned by J. W. Allen, Clayton, Kans., alleging that the article had been shipped from Clayton, Kans., on or about September 5, 1922, and transported from the State of Kansas into the State of Colorado, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid animal substance.

On November 20, 1922, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the bad portion be destroyed and the good portion sold by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11205. Adulteration of shell eggs. U. S. v. 15 Cases of Eggs. Default decree of condemnation, forfeiture, and sale.** (F. & D. No. 16833. I. S. No. 7543-v. S. No. W-1217.)

On September 9, 1922, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 15 cases of eggs, remaining unsold in the original unbroken packages at Denver, Colo., consigned by J. W. Allen, Oberlin, Kans., alleging that the article had been shipped from Oberlin, Kans., on or about September 5, 1922, and transported from the State of Kansas into the State of Colorado, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid animal substance.

On November 20, 1922, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the bad portion be destroyed and the good portion sold by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11206. Adulteration of shell eggs. U. S. v. 10 Cases of Eggs. Default decree of condemnation, forfeiture, and sale.** (F. & D. No. 16834. I. S. No. 7599-v. S. No. W-1218.)

On September 9, 1922, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 10 cases of eggs, remaining unsold in the original unbroken packages at Denver, Colo., consigned by Carpenter & Shafer, Colby, Kans., alleging that the article had been shipped from Colby, Kans., on or about September 5, 1922, and transported from the State of Kansas into the State of Colorado, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid animal substance.

On November 20, 1922, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the bad portion be destroyed and the good portion sold by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11207. Adulteration and misbranding of color, orange sirup, and fig jam. U. S. v. Caravan Products Co., a Corporation. Plea of guilty. Fine, \$100.** (F. & D. No. 16859. I. S. Nos. 5947-t, 6027-t, 6992-t.)

On December 13, 1922, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Caravan Products Co., a corporation, New York, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, on or about May 13, 1921, from the State of New York into the State of Pennsylvania, of a quantity of color, on or about August 8, 1921, from the State of New York into the State of New Jersey, of a quantity of orange sirup, and on or about August 13, 1921, from the State of New York into the State of Pennsylvania, of a quantity of fig jam, all of which were adulterated and misbranded. The articles were labeled in part, respectively: "Caravan \* \* \* Red Shade Manufactured By Caravan Products Co. New York, U. S. A.;" "Orange Ends Toil Brand



Artificial Color;" "Caravan \* \* \* Fig Jam \* \* \* Contains Gran. Sugar Corn Syrup 1-10 1% Benzoate of Soda."

Analysis of a sample of the color by the Bureau of Chemistry of this department showed that it contained 62.8 per cent of sugar. Analysis of a sample of the orange sirup by said bureau showed that it consisted of an orange-yellow sirup of artificial odor and taste, containing not more than 2 per cent of orange juice, about 1 per cent of added tartaric acid, and 3 per cent of sucrose. Analysis of a sample of the fig jam by said bureau showed that it was a glucose fig and apple jam.

Adulteration of the color was alleged in the information for the reason that a substance, to wit, sugar, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength and had been substituted in large part for red shade, which the article purported to be.

Adulteration of the orange sirup was alleged for the reason that an imitation orange sirup, which contained added tartaric acid and little, if any, orange juice, had been substituted in whole and in part for orange, to wit, orange sirup, which the said article purported to be.

Adulteration of the fig jam was alleged for the reason that a glucose jam of fig and apple had been substituted in whole and in part for fig jam, which the said article purported to be.

Misbranding of the color was alleged for the reason that the statement, to wit, "Red Shade," borne on the labels attached to the cans containing the article, regarding the said article and the ingredients and substances contained therein, was false and misleading in that it represented that the article was red shade, to wit, an article designed and intended to be used in the coloring and composition of food, understood by the trade to be composed of coloring substances only, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was red shade, to wit, an article designed and intended to be used in the coloring and composition of food, understood by the trade to be composed of coloring substances only, whereas, in truth and in fact, it was not red shade, but was a mixture composed in large part of sugar which contained a small amount of color. Misbranding was alleged for the further reason that the article was a mixture composed in large part of sugar, prepared in imitation of red shade, and was offered for sale and sold under the distinctive name of another article, to wit, red shade.

Misbranding of the orange sirup was alleged for the reason that the statement, to wit, "Orange," borne on the labels attached to the bottles containing the article, regarding the said article and the ingredients and substances contained therein, was false and misleading in that it represented that the article was, to wit, orange sirup, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was, to wit, orange sirup, whereas, in truth and in fact, it was not, to wit, orange sirup, but was a mixture composed of an imitation orange sirup which contained added tartaric acid and little, if any, orange juice. Misbranding was alleged for the further reason that the article was a mixture which contained added tartaric acid and little, if any, orange juice, prepared in imitation of orange, that is to say, orange sirup, and was offered for sale and sold under the distinctive name of another article, to wit, orange, that is to say, orange sirup.

Misbranding of the fig jam was alleged for the reason that the statements, to wit, "Fig Jam" and "Contains Gran. Sugar," borne on the labels attached to the pails containing the article, regarding the said article and the ingredients and substances contained therein, were false and misleading in that they represented that the article consisted wholly of fig jam which contained granulated sugar, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it consisted wholly of fig jam which contained granulated sugar, whereas, in truth and in fact, it did not consist wholly of fig jam which contained granulated sugar, but did consist of a glucose jam of fig and apple which contained no granulated sugar. Misbranding was alleged for the further reason that the article was a glucose jam of fig and apple, prepared in imitation of fig jam, and was offered for sale and sold under the distinctive name of another article, to wit, fig jam.

On December 18, 1922, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*



**11208. Adulteration of walnuts. U. S. v. 179 Bags of Walnuts. Consent decree of condemnation and forfeiture. Product released under bond.** (F. & D. No. 16910. I. S. No. 72-v. S. No. E-4214.)

On November 10, 1922, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 179 bags of walnuts at New York, N. Y., alleging that the article had been shipped by the China Mail Steamship Co., San Francisco, Calif., October 22, 1921, and transported from the State of California into the State of New York, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

On December 12, 1922, the John Kutsukian Co., Inc., New York, N. Y., claimant, having admitted the allegations of the libel and consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$2,000, in conformity with section 10 of the act, conditioned in part that the product be repicked, regraded, and disposed of under the supervision of and in a manner approved by this department.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11209. Adulteration and misbranding of canned oysters. U. S. v. 16 Cases of Oysters. Consent decree of condemnation and forfeiture. Product released under bond.** (F. & D. No. 17087. I. S. No. 8110-v. S. No. W-1269.)

On December 27, 1922, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 16 cases of oysters, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by the Dunbar-Dukate Co., New Orleans, La., about June 19, 1922, and transported from the State of Louisiana into the State of California, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: "Louisiana Cove Oysters Net Contents 5 Ozs. Oyster Meat Dunbar Dukate Company, New Orleans, La."

Adulteration of the article was alleged in the libel for the reason that water or brine had been mixed and packed with and substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the statement, "Net Contents 5 Ozs. Oyster Meat," was false and misleading and deceived and misled the purchaser, and for the further reason that the article was [food] in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On January 9, 1923, the James Force Co., San Francisco, Calif., claimant, having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$100, in conformity with section 10 of the act, conditioned in part that it be made to conform with the provisions of the said act, under the direction and to the satisfaction of this department.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11210. Adulteration of tankage. U. S. v. Darling & Co., a Corporation. Plea of guilty. Fine, \$50.** (F. & D. No. 9299. I. S. Nos. 11818-p, 15140-p, 15141-p, 15155-p.)

On December 31, 1919, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Darling & Co., a corporation, Chicago, Ill., alleging shipment by said company, in violation of the Food and Drugs Act, in various consignments, namely, on or about September 19, October 11, October 20, and December 21, 1917, respectively, from the State of Illinois in part into the State of Iowa and in part into the State of Indiana, of quantities of tankage which was adulterated. A portion of the article was labeled in part: "100 Pounds Darling's 60%

Digester Tankage \* \* \* Manufactured By Darling & Company." The remainder of the article was labeled in part: "100 Pounds Darling's Hog Cents Digester Tankage \* \* \* Manufactured By Darling & Company Union Stock Yards Chicago."

Examination of samples of the article by the Bureau of Chemistry of this department showed that it contained glass.

Adulteration of the article was alleged in the information for the reason that it contained an added deleterious ingredient, to wit, glass, which might render said article injurious to health.

On January 10, 1923, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11211. Misbranding of H. H. H. Liniment. U. S. v. Robert L. Gifford (William Gifford & Co.).** Plea of guilty. Fine, \$50. (F. & D. No. 12303. I. S. No. 7564-r.)

On November 30, 1920, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Robert L. Gifford, trading as William Gifford & Co., Chicago, Ill., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about November 15, 1918, from the State of Illinois into the State of Iowa, of a quantity of H. H. H. liniment which was misbranded. The article was labeled in part: "The Celebrated H. H. H. Liniment \* \* \* Man and Beast \* \* \* Wm. Gifford & Co. Propt's Chicago."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of ammonia, camphor, sassafras oil, soap, alcohol, and water.

Misbranding of the article was alleged in substance in the information for the reason that certain statements regarding the curative and therapeutic effects of the said article, borne on the bottle containing the article and in the accompanying circular, or on the bottle or accompanying circular, as the case might be, to wit, (bottle and circular) "For Rheumatism," "For \* \* \* Neuralgia," "For \* \* \* Diphtheria," "For \* \* \* Sciatica," "For \* \* \* Pleurisy," "For \* \* \* Frost Bites, Burns \* \* \* Headache \* \* \* Toothache, Lame Back \* \* \* Corns," "For \* \* \* Splent," (bottle) "For \* \* \* Earache," "For \* \* \* Bites of Insects," "For Spavins," "For \* \* \* Ringbone," "For \* \* \* Sweeney," "For Colic or Bots," (circular) "For \* \* \* Lameness," "For \* \* \* Sore Throat," "Directions For Using H. H. H. Liniment \* \* \* Quinsey \* \* \* Sick Headache \* \* \* Kidney Complaint And Lumbago \* \* \* Catarrh \* \* \* Swollen Tonsils," falsely and fraudulently represented the article to be effective as a treatment, remedy, and cure for rheumatism, neuralgia, diphtheria, sciatica, pleurisy, frostbites, burns, headache, toothache, lame back, corns, earache, bites of insects, lameness, sore throat, quinsey, sick headache, kidney complaint and lumbago, catarrh, swollen tonsils, spavins, ringbone, splent, sweeney, and colic or bots, when, in truth and in fact, it was not.

On February 1, 1923, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$50.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11212. Misbranding of olive oil. U. S. v. Lawrence Greco (Greco Importing Co.).** Plea of guilty. Fine, \$25. (F. & D. No. 13094. I. S. No. 11813-r.)

On November 30, 1920, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Lawrence Greco, trading as Greco Importing Co., Chicago, Ill., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about December 27, 1919, from the State of Illinois into the State of Wisconsin, of a consignment of olive oil which was misbranded. The article was labeled in part: "Termini Imerese Finest Quality Olive Oil Contents  $\frac{1}{2}$  Gallon."

Examination of 16 cans of the article by the Bureau of Chemistry of this department showed that the average volume was 0.44 gallon.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "Contents  $\frac{1}{2}$  Gallon," borne on the cans containing the article, regarding the said article, was false and misleading in that it



represented that each of the said cans contained one-half gallon of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of said cans contained one-half gallon of the said article, whereas, in truth and in fact, each of said cans did not contain one-half gallon of the article, but did contain a less amount. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On January 9, 1923, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11213. Adulteration of shell eggs. U. S. v. John E. White and Tyler C. White (White & White). Pleas of guilty. Fine, \$50 and costs. (F. & D. No. 14518. I. S. No. 377-t.)**

On August 15, 1921, the United States attorney for the Eastern District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against John E. White and Tyler C. White, copartners trading as White & White, Lenapah, Okla., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about July 28, 1920, from the State of Oklahoma into the State of Kansas, of a quantity of eggs which were adulterated. The article was labeled in part: (Tag) "From White & White Lenapah, Okla."

Examination, by the Bureau of Chemistry of this department, of the 720 eggs in the shipment showed the presence of 104, or 14.44 per cent, of inedible eggs, consisting of mixed or white rots, heavy blood rings, blood rots, and chick rots.

Adulteration of the article was alleged in the information for the reason that it consisted in whole or in part of a filthy and decomposed and putrid animal substance.

On February 1, 1923, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$50 and costs.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11214. Misbranding of Peterson's ointment. U. S. v. Peterson Ointment Co., Inc., a Corporation. Plea of guilty. Fine, \$25. (F. & D. No. 14933. I. S. No. 5722-t.)**

On September 6, 1921, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Peterson Ointment Co., Inc., a corporation, Buffalo, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about September 24, 1920, from the State of New York into the State of Pennsylvania, of a quantity of Peterson's ointment which was misbranded. The article was labeled in part: "Peterson's Ointment \* \* \* Peterson Ointment Co. Inc. \* \* \* Buffalo, N. Y."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it was a vaseline ointment containing zinc oxid, tannin, carbolic acid, and camphor.

Misbranding of the article was alleged in substance in the information for the reason that certain statements regarding the therapeutic and curative effects of the said article, appearing on the labels of the boxes and cartons containing the same and in the accompanying circular, falsely and fraudulently represented it to be effective as a treatment, remedy, and cure for salt rheum, eczema, ringworm, scaly or itching symptoms of the skin, broken breasts, scald heads, old sores, ingrowing nails, frostbites, and all skin diseases, corns, bunions, catarrh, enlarged veins, ulcers and open running sores, cold on the chest, coughs and croup, chilblains, King Evil, poison ivy, varicose ulcers, old and running sores, itching, bleeding, blind or protruding piles, all scalp diseases, and sprains, when, in truth and in fact, it was not.

On November 24, 1922, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$25.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11215. Adulteration and misbranding of color. U. S. v. 9 Pounds of Color. Default decree ordering the destruction of the product. (F. & D. No. 15875. S. No. E-3749.)**

On January 16, 1922, the United States attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the



District Court of the United States for said district a libel for the seizure and condemnation of 9 pounds of color, remaining unsold in the original packages at Norfolk, Va., alleging that the article had been shipped by the Perfection Specialty Co., Inc., Baltimore, Md., on or about October 6, 1921, and transported from the State of Maryland into the State of Virginia, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Certified To the U. S. Dept. of Agriculture The Perfection Specialty Co., Inc. Baltimore Manufacturers of Extracts, Flavorings, Food Colors and Emulsions. Certified Egg Shade, Food Color Made from Lot No. 3655 \* \* \* Artificially Colored."

Adulteration of the article was alleged in the libel for the reason that a substance, to wit, salt, had been mixed and packed with the said article and substituted wholly or in part therefor.

Misbranding was alleged in substance for the reason that the following statements regarding the article, appearing in the labeling, "Certified To the U. S. Dept. of Agriculture \* \* \* Manufacturers of \* \* \* Food Colors \* \* \* Certified Egg Shade, Food Color," were false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was an imitation of and offered for sale under the distinctive name of another article.

On July 1, 1922, no claimant having appeared for the property, judgment of the court was entered ordering that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11216. Adulteration of lemonade sirup. U. S. v. John J. Meier (John J. Meier & Co.). Plea of guilty. Fine, \$50. (F. & D. No. 16002. I. S. No. 167-t.)**

On May 15, 1922, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against John J. Meier, trading as John J. Meier & Co., St. Louis, Mo., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about July 19, 1921, from the State of Missouri into the State of Illinois, of a quantity of lemonade sirup which was adulterated. The article was labeled in part: (Bottle) "Minit Maid Strictly Pure Sugar Lemonade Syrup \* \* \* John J. Meier & Co. St. Louis;" (neck of bottle) "Pure Lemonade."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it was an artificially colored and flavored imitation of lemonade sirup which contained no lemon juice.

Adulteration of the article was alleged in the information for the reason that an artificially colored and flavored product had been substituted for pure lemonade and for sugar lemonade sirup, to wit, a mixture of lemon juice and sugar sirup, which the said article purported to be. Adulteration was alleged for the further reason that it was a product inferior to pure lemonade and inferior to sugar lemonade sirup, to wit, a mixture which contained little, if any, lemon juice, which mixture was artificially flavored with phosphoric acid and with flavor derived from oil of lemon or limes and was artificially colored with a certain coal-tar dye, to wit, tartrazine, so as to simulate the taste and appearance of pure lemonade and of sugar lemonade sirup, and in a manner whereby its inferiority to said pure lemonade and sugar lemonade sirup was concealed.

On October 23, 1922, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$50.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11217. Adulteration of nutmegs. U. S. v. 9 Cases of Nutmegs. Default decree of condemnation, forfeiture, and sale or destruction. (F. & D. No. 16787. S. No. E-4094.)**

On August 31, 1922, the United States attorney for the Eastern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 9 cases of nutmegs, remaining unsold in the original unbroken packages at Staten Island, N. Y., alleging that the article had been imported on or about November 5, 1920, having been transported in foreign commerce and received into the State of New York, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

During the month of October, 1922, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be sold for distillation purposes, if a purchaser therefor be found, and if not, that it be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11218. Adulteration and misbranding of wheat shorts and screenings. U. S. v. 250 Sacks of Wheat Shorts and Screenings. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 16905. I. S. No. 7910-v. S. No. W-937.)**

On or about November 10, 1922, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 250 sacks of wheat shorts and screenings, remaining in the original unbroken packages at Pomona, Calif., consigned by the Schreiber Flour & Cereal Co., Kansas City, Mo., alleging that the article had been shipped from Kansas City, Mo., on or about August 22, 1922, and transported from the State of Missouri into the State of California, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: "100 Lbs. Net When Packed Brown Wheat Shorts, Screenings not to exceed 8 Per Cent. Manufactured by Schreiber Flour and Cereal Co., Kansas City, Missouri."

Adulteration of the article was alleged for the reason that a mixture of wheat bran, white and yellow corn, and little, if any, wheat shorts had been mixed and packed with and substituted wholly or in part for the article.

Misbranding was alleged for the reason that the statements, "Brown Wheat Shorts and Screenings 100 Lbs. Net When Packed," were false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was an imitation of and offered for sale under the distinctive name of another article, and for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On December 4, 1922, the Schreiber Flour & Cereal Co., Kansas City, Mo., having entered an appearance as claimant for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$600, in conformity with section 10 of the act, conditioned that it be relabeled in a manner satisfactory to this department.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11219. Adulteration and misbranding of frozen eggs. U. S. v. 717 Cans of Frozen Eggs. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 17103. I. S. No. 3875-v. S. No. C-3863.)**

On or about January 3, 1923, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 717 cans of frozen eggs, remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by the Bellman Produce Co., Yankton, S. Dak., October 25, 1922, and transported from the State of South Dakota into the State of Illinois, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended.

Adulteration of the article was alleged in the libel for the reason that it consisted wholly or in part of a filthy, decomposed, and putrid animal substance.

Misbranding was alleged for the reason that the article was [food] in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package in terms of weight or measure.

On January 11, 1923, S. Katz & Co., Inc., claimant, having admitted the allegations of the libel and consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in con-



formity with section 10 of the act, conditioned in part that it be sorted under the supervision of this department, the bad portion destroyed and the good portion released to the said claimant.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11220. Adulteration of candy. U. S. v. Hyman Siegel. Collateral of \$25 forfeited. (F. & D. No. 670-c.)**

On August 17, 1921, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against Hyman Siegel, Washington, D. C., alleging that on August 1, 1921, the said defendant did offer for sale and sell in the District of Columbia, in violation of the Food and Drugs Act, a quantity of candy which was adulterated.

Adulteration of the article was alleged in the information for the reason that it consisted in part of a filthy, decomposed, and putrid animal substance.

On August 17, 1921, the defendant having failed to enter an appearance, the \$25 collateral which has been deposited by him to insure his appearance was declared forfeited by the court.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11221. Adulteration of alcohol. U. S. v. Simon Gerber. Collateral of \$25 forfeited. (F. & D. No. 671-c.)**

On August 25, 1921, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against Simon Gerber, Washington, D. C., alleging that on July 14, 1921, the said defendant did offer for sale and sell in the District of Columbia, in violation of the Food and Drugs Act, a quantity of alcohol which was adulterated.

Adulteration of the article was alleged in substance in the information for the reason that it differed from the standard of strength and quality as determined by the test laid down in the United States Pharmacopœia or the National Formulary, official at the time of such sale.

On August 25, 1921, the defendant having failed to enter an appearance, the \$25 collateral which had been deposited by him to insure his appearance was declared forfeited by the court.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11222. Misbranding of milk. U. S. v. Raymond A. Wise. Plea of nolo contendere. Fine, \$200. (F. & D. No. 672-c.)**

On September 10, 1921, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against Raymond A. Wise, Washington, D. C., alleging that on August 9, 1921, the said defendant did offer for sale and sell in the District of Columbia, in violation of the Food and Drugs Act, a quantity of milk which was misbranded. The article was labeled in part: "Special Raw Milk."

Misbranding of the article was alleged in the information for the reason that it was offered for sale and sold under the distinctive name of another article, that is to say, raw milk. Misbranding was alleged for the further reason that it was labeled so as to deceive and mislead the purchaser thereof into the belief that the said article was raw milk, when, in truth and in fact, it was not raw milk, but was milk which had been treated with heat.

On September 10, 1921, the defendant entered a plea of nolo contendere to the information, and the court imposed a fine of \$200.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11223. Misbranding of milk. U. S. v. Arthur Lee Thompson. Plea of nolo contendere. Fine, \$200. (F. & D. No. 673-c.)**

On September 10, 1921, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against Arthur Lee Thompson, Washington, D. C., alleging that on August 16, 1921, the said defendant did offer for sale and sell in the District of Columbia, in violation of the Food and Drugs Act, a quantity of milk which was misbranded. The article was labeled in part: "Special Raw Milk."

Misbranding of the article was alleged in the information for the reason that it was offered for sale and sold under the distinctive name of another article, that is to say, raw milk. Misbranding was alleged for the further reason



that it was labeled so as to deceive and mislead the purchaser thereof into the belief that the said article was raw milk, when, in truth and in fact, it was not raw milk, but was milk which had been treated with heat.

On September 10, 1921, the defendant entered a plea of *nolo contendere* to the information, and the court imposed a fine of \$200.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11224. Adulteration of corn meal, chocolate, noodles, beef, shredded wheat, and spaghetti. U. S. v. Dennis Otis and George Passtras. Pleas of guilty. Fine, \$100. (F. & D. No. 674-c.)**

On January 8, 1923, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against Dennis Otis and George Passtras, Washington, D. C., alleging that on December 22, 1922, the said defendants did offer for sale and sell in the District of Columbia, in violation of the Food and Drugs Act, a quantity of corn meal, chocolate, noodles, beef, shredded wheat, and spaghetti which were adulterated.

Adulteration of the articles was alleged in the information for the reason that they contained bugs and dirt.

On January 8, 1923, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$100.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11225. Adulteration of milk. U. S. v. Tobias E. Zimmerman. Plea of guilty. Fine, \$25. (F. & D. No. 675-c.)**

On September 20, 1921, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against Tobias E. Zimmerman, Washington, D. C., alleging shipment by said defendant, in violation of the Food and Drugs Act, on July 29, 1921, from the State of Maryland into the District of Columbia, of a quantity of milk which was adulterated.

Adulteration of the article was alleged in the information for the reason that a certain substance, to wit, water, had been mixed with the said article so as to reduce and lower and injuriously affect its quality.

On September 20, 1921, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11226. Adulteration of meat. U. S. v. Isadore Troshinsky. Plea of guilty. Fine, \$25. (F. & D. No. 676-c.)**

On September 20, 1921, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against Isadore Troshinsky, Washington, D. C., alleging that on July 9, 1921, the said defendant did offer for sale and sell in the District of Columbia, in violation of the Food and Drugs Act, a quantity of meat which was adulterated.

Adulteration of the article was alleged in the information for the reason that it consisted in whole and in part of a filthy, decomposed, and putrid animal and vegetable substance.

On September 20, 1921, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11227. Adulteration of ground beef. U. S. v. Edward Ostrow. Collateral of \$25 forfeited. (F. & D. No. 677-c.)**

On September 26, 1921, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against Edward Ostrow, Washington, D. C., alleging that on September 15, 1921, the said defendant did offer for sale and sell in the District of Columbia, in violation of the Food and Drugs Act, a quantity of ground beef which was adulterated.

Adulteration of the article was alleged in the information for the reason that a certain substance, to wit, sodium sulphite, had been substituted in part for said ground beef.

On September 26, 1921, the defendant having failed to enter an appearance, the \$25 collateral which had been deposited by him to insure his appearance was declared forfeited by the court.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11228. Adulteration of milk. U. S. v. Edgar L. Burdette. Collateral of \$25 forfeited.** (F. & D. No. 678-c.)

On September 29, 1921, the United States attorney for the District of Columbia, acting upon a report by the health officer of the said District, filed in the Police Court of the District aforesaid an information against Edgar L. Burdette, Washington, D. C., alleging shipment by said defendant, in violation of the Food and Drugs Act, on August 20, 1921, from the State of Maryland into the District of Columbia, of a quantity of milk which was adulterated.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, water, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality.

On September 29, 1921, the defendant having failed to enter an appearance, the \$25 collateral which had been deposited by him to insure his appearance was declared forfeited by the court.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11229. Adulteration of milk. U. S. v. William H. Orme. Collateral of \$25 forfeited.** (F. & D. No. 679-c.)

On October 16, 1921, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against William H. Orme, Washington, D. C., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about August 13, 1921, from the State of Maryland into the District of Columbia, of a quantity of milk which was adulterated.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, water, had been mixed therewith so as to reduce and injuriously affect its quality.

On October 16, 1921, the defendant having failed to enter an appearance, the \$25 collateral which had been deposited by him to insure his appearance was declared forfeited by the court.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11230. Adulteration of candy. U. S. v. Philip Natoli. Plea of guilty. Fine, \$15.** (F. & D. No. 680-c.)

On November 1, 1921, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against Philip Natoli, Washington, D. C., alleging that on October 25, 1921, the said defendant did offer for sale and sell in the District of Columbia, in violation of the Food and Drugs Act, a quantity of candy which was adulterated.

Adulteration of the article was alleged in the information for the reason that it contained a certain putrid, decomposed, and filthy animal substance, to wit, worms.

On November 1, 1921, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$15.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11231. Adulteration of prunes. U. S. v. Lizzie Feinstein. Collateral of \$10 forfeited.** (F. & D. No. 681-c.)

On November 28, 1921, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against Lizzie Feinstein, Washington, D. C., alleging that on November 9, 1921, the said defendant did offer for sale and sell in the District of Columbia, in violation of the Food and Drugs Act, a quantity of prunes which were adulterated.

Adulteration of the article was alleged in the information for the reason that it consisted in whole and in part of a filthy, decomposed, and putrid animal and vegetable substance.

On November 28, 1921, the defendant having failed to enter an appearance, the \$10 collateral which had been deposited by her to insure her appearance was declared forfeited by the court.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11232. Adulteration of cider. U. S. v. Samuel Farber. Collateral of \$25 forfeited.** (F. & D. No. 682-c.)

On December 5, 1921, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against Samuel Farber, Wash-



ington, D. C., alleging that on November 2 and 5, 1921, respectively, the said defendant did offer for sale and sell in the District of Columbia, in violation of the Food and Drugs Act, quantities of cider which was adulterated.

Adulteration of the article was alleged in the information for the reason that it contained an added ingredient, to wit, benzoate of soda, which lowered and reduced its standard of quality.

On December 5, 1921, the defendant having failed to enter an appearance, the \$25 collateral which had been deposited by him to insure his appearance was declared forfeited by the court.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11233. Adulteration of cider. U. S. v. Steven Lefas. Collateral of \$25 forfeited.** (F. & D. No. 683-c.)

On December 5, 1921, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against Steven Lefas, Washington, D. C., alleging that on November 14 and 18, 1921, respectively, the said defendant did offer for sale and sell in the District of Columbia, in violation of the Food and Drugs Act, quantities of apple cider which was adulterated.

Adulteration of the article was alleged in the information for the reason that it contained an added ingredient, to wit, sodium benzoate, which lowered and reduced its standard of quality.

On December 5, 1921, the defendant having failed to enter an appearance, the \$25 collateral which had been deposited by him to insure his appearance was declared forfeited by the court.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11234. Adulteration of eggs. U. S. v. Isadore Holtz. Collateral of \$15 forfeited.** (F. & D. No. 685-c.)

On December 14, 1921, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against Isadore Holtz, Washington, D. C., alleging that on December 7, 1921, the said defendant did offer for sale and sell in the District of Columbia, in violation of the Food and Drugs Act, a quantity of eggs which were adulterated.

Adulteration of the article was alleged in that they were filthy and decomposed.

On December 14, 1921, the defendant having failed to enter an appearance, the \$15 collateral which had been deposited by him to insure his appearance was declared forfeited by the court.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11235. Adulteration of tincture of iodine. U. S. v. Peter J. Duncan. Collateral of \$25 forfeited.** (F. & D. No. 687-c.)

On December 31, 1921, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against Peter J. Duncan, Washington, D. C., alleging that on November 16, 1921, the said defendant did offer for sale and sell in the District of Columbia, in violation of the Food and Drugs Act, a quantity of tincture of iodine which was adulterated.

Adulteration of the article was alleged in the information for the reason that it was below standard.

On December 31, 1921, the defendant having failed to enter an appearance, the \$25 collateral which had been deposited by him to insure his appearance was declared forfeited by the court.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11236. Adulteration of eggs. U. S. v. Isaac M. Kerviser. Collateral of \$25 forfeited.** (F. & D. No. 688-c.)

On January 4, 1922, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against Isaac M. Kerviser, Washington, D. C., alleging that on December 27, 1921, the said defendant did offer for sale and sell in the District of Columbia, in violation of the Food and Drugs Act, a quantity of eggs which were adulterated.

Adulteration of the article was alleged in the information for the reason that they were decomposed.



On January 4, 1922, the defendant having failed to enter an appearance, the \$25 collateral which had been deposited by him to insure his appearance was declared forfeited by the court.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11237. Adulteration of candy. U. S. v. Elmer Switzer, Mgr., J. C. McCrory Five and Ten Cent Store. Collateral of \$25 forfeited. (F. & D. No. 689-c.)**

On January 18, 1922, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against Elmer Switzer, manager of J. C. McCrory Five and Ten Cent Store, Washington, D. C., alleging that on December 23, 1921, the said defendant did offer for sale and sell in the District of Columbia a quantity of candy which was adulterated.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, starch, had been mixed and packed with the said article so as to lower and reduce and injuriously affect its quality.

On January 18, 1922, the defendant having failed to enter an appearance, the \$25 collateral which had been deposited by him to insure his appearance was declared forfeited by the court.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11238. Adulteration of flour. U. S. v. Clyde Liggett. Collateral of \$25 forfeited. (F. & D. No. 690-c.)**

On March 1, 1922, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against Clyde Liggett, Washington, D. C., alleging that on February 18, 1922, the said defendant did offer for sale and sell in the District of Columbia, in violation of the Food and Drugs Act, a quantity of flour which was adulterated.

Adulteration of the article was alleged in the information for the reason that it contained a certain deleterious foreign substance, to wit, rat excreta.

On March 1, 1922, the defendant having failed to enter an appearance, the \$25 collateral which had been deposited by him to insure his appearance was declared forfeited by the court.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11239. Adulteration of fish. U. S. v. George Dann. Collateral of \$10 forfeited. (F. & D. No. 691-c.)**

On April 20, 1922, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against George Dann, Washington, D. C., alleging that on April 12, 1922, the said defendant did offer for sale and sell in the District of Columbia, in violation of the Food and Drugs Act, a quantity of fish which was adulterated.

Adulteration of the article was alleged in the information for the reason that it contained a certain foreign and deleterious substance, to wit, dirt.

On April 20, 1922, the defendant having failed to enter an appearance, the \$10 collateral which had been deposited by him to insure his appearance was declared forfeited by the court.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11240. Adulteration of milk. U. S. v. George Stathis. Collateral of \$25 forfeited. (F. & D. No. 692-c.)**

On May 23, 1922, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against George Stathis, Washington, D. C., alleging that on May 9, 1922, the said defendant did offer for sale and sell in the District of Columbia, in violation of the Food and Drugs Act, a quantity of milk which was adulterated.

Adulteration of the article was alleged in the information for the reason that a certain valuable constituent thereof, to wit, butterfat, had been in whole or in part removed, thus reducing the quality of the said article.

On May 25, 1922, the defendant having failed to enter an appearance, the \$25 collateral which had been deposited by him to insure his appearance was declared forfeited by the court.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11241. Adulteration of milk. U. S. v. Constantnos Lynard and Louis Dounis. Collateral of \$25 forfeited. (F. & D. No. 693-c.)**

On May 23, 1922, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against Constantnos Lynard and Louis Dounis, Washington, D. C., alleging that on May 8, 1922, the said defendants did offer for sale and sell in the District of Columbia, in violation of the Food and Drugs Act, a quantity of milk which was adulterated.

Adulteration of the article was alleged in the information for the reason that a certain valuable constituent thereof, to wit, butterfat, had been in whole or in part removed, thus reducing the quality of the said article.

On May 23, 1922, the defendants having failed to enter an appearance, the \$25 collateral which had been deposited by them to insure their appearance was declared forfeited by the court.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11242. Adulteration of milk. U. S. v. John D. Macos. Collateral of \$25 forfeited. (F. & D. No. 694-c.)**

On May 23, 1922, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against John D. Macos, Washington, D. C., alleging that on May 9, 1922, the said defendant did offer for sale and sell in the District of Columbia, in violation of the Food and Drugs Act, a quantity of milk which was adulterated.

Adulteration of the article was alleged in the information for the reason that a certain valuable constituent thereof, to wit, butterfat, had been in whole or in part removed, thus reducing the quality of the said article.

On May 23, 1922, the defendant having failed to enter an appearance, the \$25 collateral which had been deposited by him to insure his appearance was declared forfeited by the court.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11243. Adulteration of milk. U. S. v. Robert R. Gidney. Collateral of \$25 forfeited. (F. & D. No. 695-c.)**

On May 23, 1922, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against Robert R. Gidney, Washington, D. C., alleging that on May 10, 1922, the said defendant did offer for sale and sell in the District of Columbia, in violation of the Food and Drugs Act, a quantity of milk which was adulterated.

Adulteration of the article was alleged in the information for the reason that a certain valuable constituent thereof, to wit, butterfat, had been in whole or in part removed, thus reducing the quality of the said article.

On May 23, 1922, the defendant having failed to enter an appearance, the \$25 collateral which had been deposited by him to insure his appearance was declared forfeited by the court.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11244. Adulteration of milk. U. S. v. James G. Graves. Collateral of \$25 forfeited. (F. & D. No. 696-c.)**

On May 23, 1922, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against James G. Graves, Washington, D. C., alleging that on May 10, 1922, the said defendant did offer for sale and sell in the District of Columbia, in violation of the Food and Drugs Act, a quantity of milk which was adulterated.

Adulteration of the article was alleged in the information for the reason that a certain valuable constituent thereof, to wit, butterfat, had been in whole or in part removed, thus reducing the quality of the said article.

On May 23, 1922, the defendant having failed to enter an appearance, the \$25 collateral which had been deposited by him to insure his appearance was declared forfeited by the court.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11245. Adulteration of milk. U. S. v. Gus Thomas. Collateral of \$25 forfeited. (F. & D. No. 697-c.)**

On May 23, 1922, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police



Court of the District aforesaid an information against Gus Thomas, Washington, D. C., alleging that on May 9, 1922, the said defendant did offer for sale and sell in the District of Columbia, in violation of the Food and Drugs Act, a quantity of milk which was adulterated.

Adulteration of the article was alleged in the information for the reason that a certain valuable constituent thereof, to wit, butterfat, had been in whole or in part removed, thus reducing the quality of the said article.

On May 23, 1922, the defendant having failed to enter an appearance, the \$25 collateral which had been deposited by him to insure his appearance was declared forfeited by the court.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11246. Adulteration of milk. U. S. v. George W. Chaconas. Collateral of \$25 forfeited. (F. & D. No. 698-c.)**

On May 25, 1922, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against George W. Chaconas, Washington, D. C., alleging that on May 8, 1922, the said defendant did offer for sale and sell in the District of Columbia, in violation of the Food and Drugs Act, a quantity of milk which was adulterated.

Adulteration of the article was alleged in the information for the reason that a certain valuable constituent thereof, to wit, butterfat, had been in whole or in part removed, thus reducing the quality of the said article.

On May 25, 1922, the defendant having failed to enter an appearance, the \$25 collateral which had been deposited by him to insure his appearance was declared forfeited by the court.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11247. Adulteration of milk. U. S. v. Moses H. Dade. Collateral of \$25 forfeited. (F. & D. No. 699-c.)**

On May 25, 1922, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against Moses H. Dade, Washington, D. C., alleging that on May 10, 1922, the said defendant did offer for sale and sell in the District of Columbia, in violation of the Food and Drugs Act, a quantity of milk which was adulterated.

Adulteration of the article was alleged in the information for the reason that a certain valuable constituent thereof, to wit, butterfat, had been in whole or in part removed therefrom, thus reducing the quality of the said article.

On May 25, 1922, the defendant having failed to enter an appearance, the \$25 collateral which had been deposited by him to insure his appearance was declared forfeited by the court.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11248. Adulteration of milk. U. S. v. Andrew Zagos. Collateral of \$25 forfeited. (F. & D. No. 700-c.)**

On May 25, 1922, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against Andrew Zagos, Washington, D. C., alleging that on May 9, 1922, the said defendant did offer for sale and sell in the District of Columbia, in violation of the Food and Drugs Act, a quantity of milk which was adulterated.

Adulteration of the article was alleged in the information for the reason that a certain valuable constituent thereof, to wit, butterfat, had been in whole or in part removed therefrom, thus reducing the quality of the said article.

On May 25, 1922, the defendant having failed to enter an appearance, the \$25 collateral which had been deposited by him to insure his appearance was declared forfeited by the court.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11249. Adulteration of milk. U. S. v. James A. Robinson. Collateral of \$25 forfeited. (F. & D. No. 701-c.)**

On May 31, 1922, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against James A. Robinson, Washington, D. C., alleging that on May 8, 1922, the said defendant did offer



for sale and sell in the District of Columbia, in violation of the Food and Drugs Act, a quantity of milk which was adulterated.

Adulteration of the article was alleged in the information for the reason that a certain valuable constituent thereof, to wit, butterfat, had been in whole or in part removed, thus reducing the quality of the said article.

On May 31, 1922, the defendant having failed to enter an appearance, the \$25 collateral which had been deposited by him to insure his appearance was declared forfeited by the court.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11250. Adulteration of milk. U. S. v. Enrico Smith. Collateral of \$25 forfeited.** (F. & D. No. 702-c.)

On May 31, 1922, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against Enrico Smith, Washington, D. C., alleging that on May 9, 1922, the said defendant did offer for sale and sell in the District of Columbia, in violation of the Food and Drugs Act, a quantity of milk which was adulterated.

Adulteration of the article was alleged in the information for the reason that a certain valuable constituent thereof, to wit, butterfat, had been in whole or in part removed therefrom, thus reducing the quality of the said article.

On May 31, 1922, the defendant having failed to enter an appearance, the \$25 collateral which had been deposited by him to insure his appearance was declared forfeited by the court.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

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## United States Department of Agriculture.

### SERVICE AND REGULATORY ANNOUNCEMENTS.

#### BUREAU OF CHEMISTRY.

#### SUPPLEMENT.

N. J. 11251-11300.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., May 10, 1923.]

#### NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

**11251. Adulteration of milk. U. S. v. Harry L. Alden. Collateral of \$25 forfeited.** (F. & D. No. 703-c.)

On June 6, 1922, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against Harry L. Alden, Washington, D. C., alleging that on April 19, 1922, the said defendant did offer for sale and sell in the District of Columbia, in violation of the Food and Drugs Act, a quantity of milk which was adulterated.

It was alleged in the information that the article was adulterated in that it had been skimmed.

On June 6, 1922, the defendant having failed to enter an appearance, the \$25 collateral which had been deposited by him to insure his appearance was declared forfeited by the court.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11252. Adulteration of milk. U. S. v. John J. Bowles. Collateral of \$25 forfeited.** (F. & D. No. 704-c.)

On June 13, 1922, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against John J. Bowles, Washington, D. C., alleging that on June 1, 1922, the said defendant did offer for sale and sell in the District of Columbia, in violation of the Food and Drugs Act, a quantity of milk which was adulterated.

It was alleged in substance in the information that the said adulterated article was injurious in that it contained glass and consisted in part of a filthy substance.

On June 13, 1922, the defendant having failed to enter an appearance, the \$25 collateral which had been deposited by him to insure his appearance was declared forfeited by the court.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11253. Adulteration of milk. U. S. v. James C. Scott. Collateral of \$25 forfeited.** (F. & D. No. 705-c.)

On July 6, 1922, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against James C. Scott, Washington, D. C., alleging that on June 30, 1922, the said defendant did offer for



sale and sell in the District of Columbia, in violation of the Food and Drugs Act, a quantity of milk which was adulterated.

It was alleged in the information that the article was adulterated in that it had been skimmed.

On July 6, 1922, the defendant having failed to enter an appearance, the \$25 collateral which had been deposited by him to insure his appearance was declared forfeited by the court.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11254. Adulteration of ham. U. S. v. Aaron Goldstein. Collateral of \$25 forfeited. (F. & D. No. 706-c.)**

On July 17, 1922, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against Aaron Goldstein, Washington, D. C., alleging that on July 5, 1922, the said defendant did offer for sale and sell in the District of Columbia, in violation of the Food and Drugs Act, a quantity of ham which was decomposed.

It was alleged in the information that the article was decomposed in that it contained maggots.

On July 17, 1922, the defendant having failed to enter an appearance, the \$25 collateral which had been deposited by him to insure his appearance was declared forfeited by the court.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11255. Adulteration of candy. U. S. v. Phillip Miller. Collateral of \$25 forfeited. (F. & D. No. 707-c.)**

On July 25, 1922, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against Phillip Miller, Washington, D. C., alleging that on July 12, 1922, the said defendant did offer for sale and sell in the District of Columbia, in violation of the Food and Drugs Act, a quantity of candy which was adulterated.

Adulteration of the article was alleged in the information for the reason that it contained worms.

On July 25, 1922, the defendant having failed to enter an appearance, the \$25 collateral which had been deposited by him to insure his appearance was declared forfeited by the court.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11256. Adulteration of prunes. U. S. v. Isaac Oymes. Collateral of \$25 forfeited. (F. & D. No. 708-c.)**

On August 1, 1922, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against Isaac Oymes, Washington, D. C., alleging that on July 5, 1922, the said defendant did offer for sale and sell in the District of Columbia, in violation of the Food and Drugs Act, a quantity of prunes which were adulterated.

Adulteration of the article was alleged in the information for the reason that it contained worms.

On August 1, 1922, the defendant having failed to enter an appearance, the \$25 collateral which had been deposited by him to insure his appearance was declared forfeited by the court.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11257. Adulteration of milk. U. S. v. Fannie C. Isenberg. Collateral of \$25 forfeited. (F. & D. No. 709-c.)**

On August 2, 1922, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against Fannie C. Isenberg, Washington, D. C., alleging that on July 12, 1922, the said defendant did offer for sale and sell in the District of Columbia, in violation of the Food and Drugs Act, a quantity of milk which was adulterated.

Adulteration of the article was alleged in the information for the reason that it contained water.

On August 2, 1922, the defendant having failed to enter an appearance, the \$25 collateral which had been deposited by her to insure her appearance was declared forfeited by the court.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11258. Adulteration of bacon, beef, and pork. U. S. v. Samuel Okum. Plea of guilty. Fine, \$50. (F. & D. No. 710-c.)**

On August 9, 1922, the United States attorney for the District of Columbia, acting upon a report by the police officer of said District, filed in the Police Court of the District aforesaid an information against Samuel Okum, Washington, D. C., alleging that on August (July?) 31, 1922, the said defendant did offer for sale and sell in the District of Columbia, in violation of the Food and Drugs Act, a quantity of bacon, beef, and pork, each of which was adulterated.

Adulteration of the articles was alleged in substance in the information for the reason that the bacon contained maggots, and the beef and pork were decomposed.

On August 9, 1922, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$50.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11259. Adulteration of meat. U. S. v. Isreal Troskinsky. Plea of guilty. Fine, \$25. (F. & D. No. 711-c.)**

On August 15, 1922, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against Isreal Troskinsky, Washington, D. C., alleging that on August 5, 1922, the said defendant did offer for sale and sell in the District of Columbia, in violation of the Food and Drugs Act, a quantity of meat which was adulterated.

Adulteration of the article was alleged in the information for the reason that it was decomposed.

On August 15, 1922, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11260. Adulteration of ham. U. S. v. Saul L. Berman. Plea of guilty. Fine, \$25. (F. & D. No. 712-c.)**

On August 15, 1922, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against Saul L. Berman, Washington, D. C., alleging that on August 4, 1922, the said defendant did offer for sale and sell in the District of Columbia, in violation of the Food and Drugs Act, a quantity of meat which was adulterated.

Adulteration of the article was alleged in the information for the reason that it contained maggots.

On August 22, 1922, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11261. Adulteration of meat. U. S. v. Harry Sherby. Plea of guilty. Fine, \$100. (F. & D. No. 713-c.)**

On August 21, 1922, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against Harry Sherby, Washington, D. C., alleging that on July 13, 1922, the said defendant did offer for sale and sell in the District of Columbia, in violation of the Food and Drugs Act, a quantity of meat which was adulterated.

Adulteration of the article was alleged in the information for the reason that it was decomposed.

On August 21, 1922, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$100.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11262. Adulteration of meat. U. S. v. Sam Naiman. Plea of guilty. Fine, \$25. (F. & D. No. 714-c.)**

On August 24, 1922, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against Sam Naiman, Washington, D. C., alleging that on August 17, 1922, the said defendant did offer for sale and sell in the District of Columbia, in violation of the Food and Drugs Act, a quantity of meat which was adulterated.



Adulteration of the article was alleged in the information for the reason that it was decomposed.

On August 24, 1922, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11263. Adulteration of meat. U. S. v. Alphonso Wheelock. Plea of guilty. Fine, \$25. (F. & D. No. 715-c.)**

On August 28, 1922, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against Alphonso Wheelock, Washington, D. C., alleging that on August 11, 1922, the said defendant did offer for sale and sell in the District of Columbia, in violation of the Food and Drugs Act, a quantity of meat which was adulterated.

Adulteration of the article was alleged in the information for the reason that it was decomposed.

On August 28, 1922, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11264. Adulteration of shoulder and ham. U. S. v. Otto Herzog. Plea of guilty. Fine, \$25. (F. & D. No. 716-c.)**

On September 8, 1922, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against Otto Herzog, Washington, D. C., alleging that on August 28, 1922, the said defendant did offer for sale and sell in the District of Columbia, in violation of the Food and Drugs Act, a quantity of meat, to wit, a shoulder and ham, which was adulterated.

Adulteration of the article was alleged in the information for the reason that it was decomposed.

On September 8, 1922, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11265. Adulteration of candy. U. S. v. Jacob Cohen. Plea of guilty. Fine, \$50. (F. & D. No. 717-c.)**

On September 18, 1922, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against Jacob Cohen, Washington, D. C., alleging that on August 28, 1922, the said defendant did offer for sale and sell in the District of Columbia, in violation of the Food and Drugs Act, a quantity of candy which was adulterated.

Adulteration of the article was alleged in the information for the reason that it contained worms.

On September 18, 1922, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$50.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11266. Adulteration of spare ribs, raisins, dried peaches, and beans. U. S. v. Samuel Okum. Plea of guilty. Fine, \$100. (F. & D. No. 718-c.)**

On September 20, 1922, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against Samuel Okum, Washington, D. C., alleging that on August 28, 1922, the said defendant did offer for sale and sell in the District of Columbia, in violation of the Food and Drugs Act, a quantity of spare ribs, raisins, dried peaches, and beans which were adulterated.

Adulteration of the articles was alleged in the information for the reason that they contained worms.

On September 22, 1922, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$100.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*



**11267. Adulteration of meat. U. S. v. Harry Sherby. Collateral of \$100 forfeited. (F. & D. No. 719-c.)**

On September 20, 1922, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against Harry Sherby, Washington, D. C., alleging that on August 29, 1922, the said defendant did offer for sale and sell in the District of Columbia, in violation of the Food and Drugs Act, a quantity of meat which was adulterated.

Adulteration of the article was alleged in the information for the reason that it contained maggots.

On September 20, 1922, the defendant having failed to enter an appearance, the \$100 collateral which had been deposited by him to insure his appearance was declared forfeited by the court.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11268. Adulteration of smoked meat. U. S. v. Alfred B. Lawson. Plea of guilty. Fine, \$25. (F. & D. No. 720-c.)**

On September 22, 1922, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against Alfred B. Lawson, Washington, D. C., alleging that on September 8, 1922, the said defendant did offer for sale and sell in the District of Columbia, in violation of the Food and Drugs Act, a quantity of smoked meat which was adulterated.

Adulteration of the article was alleged in the information for the reason that it contained worms.

On September 22, 1922, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11269. Adulteration of meat. U. S. v. Joseph Siegle. Collateral of \$25 forfeited. (F. & D. No. 721-c.)**

On September 26, 1922, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against Joseph Siegle, Washington, D. C., alleging that on September 14, 1922, the said defendant did offer for sale and sell in the District of Columbia, in violation of the Food and Drugs Act, a quantity of meat which was adulterated.

Adulteration of the article was alleged in the information for the reason that it was decomposed.

On September 26, 1922, the defendant having failed to enter an appearance, the \$25 collateral which had been deposited by him to insure his appearance was declared forfeited by the court.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11270. Adulteration of raisins, currants, figs, and dates. U. S. v. James Strauss and George Roushakes. Plea of guilty. Fine, \$25. (F. & D. No. 722-c.)**

On September 27, 1922, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against James Strauss and George Roushakes, Washington, D. C., alleging that on September 13, 1922, the said defendants did offer for sale and sell in the District of Columbia, in violation of the Food and Drugs Act, quantities of raisins, currants, figs, and dates which were adulterated.

Adulteration of the articles was alleged in the information for the reason that they contained worms.

On September 27, 1922, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$25.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11271. Adulteration of meat. U. S. v. Joseph W. Andres. Plea of guilty. Fine, \$25. (F. & D. No. 723-c.)**

On October 20, 1922, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against Joseph W. Andres, Washington, D. C., alleging that on October 9, 1922, the said defendant did offer

for sale and sell in the District of Columbia, in violation of the Food and Drugs Act, a quantity of meat which was adulterated.

Adulteration of the article was alleged in the information for the reason that it contained worms.

On October 20, 1922, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11272. Adulteration of milk. U. S. v. James B. Dorsey. Collateral of \$10 forfeited. (F. & D. No. 724-c.)**

On December 19, 1922, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against James B. Dorsey, Germantown, Md., alleging that on November 24, 1922, the said defendant did offer for sale and sell in the District of Columbia, in violation of the Food and Drugs Act, a quantity of milk which was adulterated.

Adulteration of the article was alleged in the information for the reason that it contained water and was below standard.

On December 19, 1922, the defendant having failed to enter an appearance, the \$10 collateral which had been deposited by him to insure his appearance was declared forfeited by the court.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11273. Misbranding of Pratts cow remedy. U. S. v. 6 Packages of Pratts Cow Remedy. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14467. I. S. No. 4774-t. S. No. C-2805.)**

On February 21, 1921, the United States attorney for the Northern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 6 packages of Pratts cow remedy, remaining in the original packages at Fort Worth, Tex., alleging that the article had been shipped by the Pratt Food Co., Chicago, Ill., on or about June 17, 1920, and transported from the State of Illinois into the State of Texas, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: "Pratts Cow Remedy is a tested remedy and preventive for Contagious Abortion, Barrenness (Failure to Breed), Garget, Milk Fever \* \* \* For Barrenness \* \* \* For Milk Fever And Garget \* \* \* Prevents retained afterbirth \* \* \* For Calves: For preventing or treating scours \* \* \* Pratts Cow Remedy will assist in rendering the bull's service more sure, particularly where contagious abortion has appeared in the herd \* \* \* For Accidental Or Contagious Abortion \* \* \* To Prevent: In herds where cows have previously aborted, or in neighborhoods where disease exists \* \* \* Contagious Abortion \* \* \* Retained Afterbirth \* \* \* Pratts Cow Remedy Is A Medicinal Specific for diseases of cows \* \* \* preventive and remedy for cow troubles."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of a mixture of salt, soda, Epsom salt, iron oxid, fenugreek, ginger, nux vomica, and gentian.

Misbranding of the article was alleged in the libel for the reason that the above-quoted statements were false and fraudulent in that the said article contained no ingredient or combination of ingredients capable of producing the therapeutic effects claimed.

On February 12, 1923, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11274. Misbranding of Arthur's emmenagogue pills. U. S. v. 5 Boxes of Arthur's Emmenagogue Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 15332. S. No. C-3167.)**

On August 20, 1921, the United States attorney for the Northern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 5 boxes of Arthur's emmenagogue pills, remaining in the original packages at Granbury, Tex., alleging that the article had been shipped by the Palestine Drug Co., St. Louis, Mo., about August 9, 1921 [1920], and transported from the State of Missouri into the State of Texas, and charging mis-



branding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Box) "Emmenagogue Pills recommended for Amenorrhea, Dysmenorrhea and other Menstrual Troubles. \* \* \* beginning treatment \* \* \* before the regular monthly period. \* \* \* continue \* \* \* until relief is obtained."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained iron sulphate, aloes, and extract of plant drugs, coated with sugar and calcium carbonate, colored pink.

Misbranding of the article was alleged in substance in the libel for the reason that the above-quoted statements appearing on the box containing the said article were false and fraudulent in that the said article contained no ingredient or combination of ingredients capable of producing the therapeutic effects claimed.

On February 12, 1923, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11275. Misbranding of mixed sour pickles and sour gherkins. U. S. v. 8 Cases of Mixed Sour Pickles and 4 Cases of Sour Gherkins. Products ordered released.** (F. & D. No. 15968. I. S. Nos. 18227-t, 18228-t. S. No. C-3012.)

On February 3, 1922, the United States attorney for the Northern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 8 cases of mixed sour pickles and 4 cases of sour gherkins at Fort Worth, Tex., alleging that the articles had been shipped by the California Packing Corp., San Jose, Calif., on or about September 6, 1921, and transported from the State of California into the State of Texas, and charging misbranding in violation of the Food and Drugs Act. The articles were labeled in part: "Del Monte Brand \* \* \* Sour Mixed Pickles" (or "Sour Gherkins") "California Packing Corporation." Portions of both of said articles were further labeled, respectively: "Net Weight 12 Oz. Drained Weight 8½ Oz." or "Net Weight 11 Oz. Drained Weight 7½ Oz."

Misbranding of the articles was alleged in substance in the libel for the reason that the statements appearing on the labels of the pickles, "Net Weight 12 Oz. Drained Weight 8½ Oz.," and the statements appearing on the labels of respective portions of the gherkins, "Net Weight 12 Oz." and "Drained Weight 7½ Oz.," were false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the products were [food] in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On April 11, 1922, A. E. Want & Co. and Claude Van Zandt & Co. having appeared as claimants for the property, and it appearing to the court that the mislabeling or nonlabeling of the said articles was not intentional, but was due to mechanical error or oversight of employees, and that the said articles had been properly relabeled, it was ordered by the court that the products be restored to the said claimants without fine or penalty.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11276. Misbranding of Eckman's alternative. U. S. v. 14 Bottles and 42 Bottles of Eckman's Alternative. Consent decree of condemnation and forfeiture. Product released under bond.** (F. & D. No. 16731. S. No. E-4120.)

On August 14, 1922, the United States attorney for the Eastern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 14 bottles, large size, and 42 bottles, small size, of Eckman's alternative at Brooklyn, N. Y., alleging that the article had been shipped by the Burrows-Little-White Co., Philadelphia, Pa., on or about March 30, 1922, and transported from the State of Pennsylvania into the State of New York, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton and bottle) "Eckman's Alternative For use in the following Throat and Lung Affections Bronchial Asthma, Catarrhal Bronchitis and Pulmonary Troubles, Stubborn Coughs and Colds."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of 3.3 per cent of calcium chlorid, 2.3 per cent of plant extracts, and 94.4 per cent of water, flavored with clove oil.



Misbranding of the article was alleged in the libel for the reason that the above-quoted statements regarding the curative and therapeutic effects thereof were false and fraudulent since the said article did not contain any ingredient or combination of ingredients capable of producing the effects claimed.

On December 14, 1922, the Burrows-Little-White Co., Philadelphia, Pa., claimant, having admitted the allegations of the libel and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$100, in conformity with section 10 of the act, conditioned in part that the said product be reshipped to the claimant's factory in Philadelphia, Pa., and relabeled to the satisfaction and under the supervision of this department.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11277. Misbranding and alleged adulteration of canned oysters. U. S. v. 425 Cases and 150 Cases of Canned Oysters. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 16902. I. S. Nos. 7744-v, 7745-v. S. No. W-1226.)**

On November 1, 1922, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 425 cases and 150 cases of canned oysters, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the Dunbar-Dukate Co., Biloxi, Miss., on or about October 5, 1922, and transported from the State of Mississippi into the State of Washington, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. A portion of the article was labeled in part: "Emperor Brand Oysters Net Weight 10 Oz." The remainder of the article was labeled in part: "Sea-Port Brand Oysters Contents 4 Oz."

Adulteration of the article was alleged in the libel for the reason that excessive brine had been substituted in part for the said article.

Misbranding was alleged in substance for the reason that the statement, "Net Weight 10 Oz.," appearing on the labels of the Emperor brand, and the statement, "Contents 4 Oz.," appearing on the labels of the Sea-Port brand, were false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was [food] in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On December 13, 1922, the Dunbar-Dukate Co., Inc., Biloxi, Miss., claimant, having admitted certain allegations of the libel, a decree of the court was entered adjudging the product to be misbranded, ordering its condemnation and forfeiture, and providing that it be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$5,270, in conformity with section 10 of the act, conditioned in part that it be relabeled under the supervision and to the satisfaction of this department.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11278. Adulteration of almonds. U. S. v. 300 Bags of Almonds. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 16917. I. S. Nos. 5484-v, 5485-v. S. No. C-3829.)**

On November 11, 1922, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 300 bags of almonds, remaining in the original unbroken packages at Minneapolis, Minn., alleging that the article had been shipped by William A. Camp & Co., New York, N. Y., in part on or about September 25 and in part on or about September 27, 1922, and transported from the State of New York into the State of Minnesota, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted wholly or in part of a filthy, decomposed, and putrid vegetable substance.

On November 29, 1922, the Northern Brokerage Co., Minneapolis, Minn., claimant, having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings

and the execution of a bond in the sum of \$2,000. in conformity with section 10 of the act, conditioned in part that the said product be sorted under the supervision of this department and the bad portion destroyed.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11279. Misbranding of vinegar. U. S. v. 12 Barrels and 20 Barrels of Evaporated Apple Vinegar. Decree entered providing for release of product.** (F. & D. Nos. 17096, 17097 I. S. Nos. 5174-v, 5175-v. S. Nos. C-3861, C-3862.)

On January 5, 1923, the United States attorney for the Eastern District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying the seizure and condemnation of 32 barrels of vinegar at Muskogee, Okla., alleging that the article had been shipped by the Ozark Cider & Vinegar Co., Rogers, Ark., in part on or about August 4 and in part on or about August 14, 1922, and transported from the State of Arkansas into the State of Oklahoma, and charging misbranding in violation of the Food and Drugs Act, as amended. The shipment of August 14 was labeled in part: "Blue Ribbon Brand Evaporated Apple Vinegar Contents 55 Gal. The O. L. Gregory Vinegar Company, Rogers, Arkansas." The shipment of August 4 was labeled in part: "Southern Fruit Products Mfg. Co. Evaporated Apple Vinegar Contents 55 Gal. Rogers, Arkansas."

It was alleged in substance in the libels that the article was misbranded in violation of section 8 of the said act, under paragraphs second and fourth, relating to food, in that the contents of the said barrels was less than 55 gallons of the said article. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On January 13, 1923, upon showing to the court that the product had been reweighed, relabeled, and regauged by O. L. Gregory, Rogers, Ark., shipper of the said product, and by the Griffin Grocery Co. and the Hale Halsell Co., both of Muskogee, Okla., custodians of respective portions thereof, and that the costs of the action had been paid by the said shipper, it was ordered by the court that the said product be released to the shipper and the respective custodians to be disposed of in conformity with the said act.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11280. Adulteration of milk. U. S. v. Samuel W. Simpson. Collateral of \$50 forfeited.** (F. & D. No. 657-c.)

On October 24, 1922, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against Samuel W. Simpson, Calverton, Va., alleging that on September 25, 1922, the said defendant did offer for sale and sell in the District of Columbia, in violation of the Food and Drugs Act, a quantity of milk which was adulterated.

Adulteration of the article was alleged in the information for the reason that it contained added water and was below standard.

On October 24, 1922, the defendant having failed to enter an appearance, the \$50 collateral which had been deposited by him to insure his appearance was declared forfeited by the court.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11281. Adulteration and misbranding of butter. U. S. v. 1,200 Pounds of Butter. Product ordered released under bond.** (F. & D. No. 664-c. I. S. No. 10851-v. S. No. E-4236.)

On November 24, 1922, the United States attorney for the District of New Hampshire, acting upon a report by an official of the New Hampshire State Board of Health, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1,200 pounds of butter at Concord, N. H., alleging that the article had been shipped by M. F. Donahue from Essex, Vt., on or about November 13, 1922, and transported from the State of Vermont into the State of New Hampshire, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that an excessive amount of moisture had been mixed and packed with and substituted wholly or in part for butter. Adulteration was alleged for the further reason that a valuable constituent, to wit, milk fat, had been abstracted from the said article.



Misbranding was alleged for the reason that the article, purporting to be butter and offered for sale as such, was in fact an imitation.

On December 7, 1922, Michael F. Donahue, Essex, Vt., having entered an appearance as claimant for the property and having filed a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that the product be properly branded, it was ordered by the court that the bond be approved and that the said product be released to the claimant upon payment of the costs of the proceedings.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11282. Adulteration and misbranding of raspberry sirup. U. S. v. The Swedish Produce Co., a Corporation. Plea of guilty. Fine, \$50. (F. & D. No. 15270. I. S. No. 10288-t.)**

On January 25, 1922, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Swedish Produce Co., a corporation, Chicago, Ill., alleging shipment by said company, in violation of the Food and Drugs Act, on or about October 16, 1920, from the State of Illinois into the State of Colorado, of a quantity of raspberry sirup which was adulterated and misbranded. The article was labeled in part: "Linnea The S P Co Hallon Saft \* \* \* Raspberry Syrup \* \* \* Distributed by The Swedish Produce Co. 657 W. Lake St., Chicago, Ill."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it was a highly flavored, artificially colored sirup, containing a small amount of natural fruit juice, probably approximating 10 to 15 per cent.

Adulteration of the article was alleged in the information for the reason that an artificially flavored and artificially colored product had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength and had been substituted in large part for raspberry sirup, which the said article purported to be. Adulteration was alleged for the further reason that the article was a product inferior to raspberry sirup, to wit, a mixture which contained proportionally a small amount of natural fruit juice, to wit, approximately 15 per cent of natural fruit juice, and was artificially flavored and artificially colored so as to simulate the taste and appearance of raspberry sirup and in a manner whereby its inferiority to raspberry sirup was concealed.

Misbranding was alleged for the reason that the statement, to wit, "Raspberry Syrup," borne on the labels attached to the bottles containing the article, regarding the said article and the ingredients and substances contained therein, was false and misleading in that the said statement represented that the article consisted wholly of raspberry sirup, and for the further reason that it was labeled so as to deceive and mislead the purchaser into the belief that it consisted wholly of raspberry sirup, whereas, in truth and in fact, it did not so consist, but did consist of an artificially flavored and artificially colored mixture which contained a small amount of natural fruit juice.

On January 24, 1923, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11283. Adulteration and misbranding of chocolate coating. U. S. v. 20 Cases of Chocolate Coating. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 15328. I. S. No. 10900-t. S. No. W-1008.)**

On August 19, 1921, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 20 cases of chocolate coating, remaining in the original unbroken packages at San Francisco, Calif., consigned by the Washington Chocolate Co., Seattle, Wash., alleging that the article had been shipped from Seattle, Wash., February 15, 1921, and transported from the State of Washington into the State of California, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: "Washington Chocolate Co. Seattle Manufacturers of Cocoa and Chocolate. Seattle, Washington, U. S. A. E-Z-Kote Special."

Adulteration of the article was alleged in the libel for the reason that excessive cocoa shells and starch had been mixed and packed with and substi-



tuted wholly or in part for the said article, and for the further reason that it had been mixed in a manner whereby inferiority was concealed.

Misbranding was alleged for the reason that the article was an imitation of and offered for sale under the distinctive name of another article, and for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On November 2, 1921, the Washington Chocolate Co., Seattle, Wash., claimant, having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,200, in conformity with section 10 of the act, conditioned in part that it be relabeled "Sweet Chocolate Coating Containing Corn Starch and Excessive Cocoa Shells," that the net weight of the contents of the box be placed on the outside thereof, and that each individual cake be labeled "Net Weight 10 Lbs."

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11284. Misbranding of grape jam. U. S. v. 7 Cases, et al., of Grape Jam. Consent decrees of condemnation and forfeiture. Product released under bond.** (F. & D. Nos. 15657, 15659, 15660. I. S. Nos. 15538-t, 15551-t, 15552-t. S. Nos. E-3753, E-3768, E-3769.)

On February 8 and 10, 1922, respectively, the United States attorney for the District of New Jersey, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying the seizure and condemnation of 81 cases of grape jam, remaining unsold in the original unbroken packages in various lots, namely, at Paterson, Jersey City, and Newark, N. J., respectively, alleging that the article had been shipped by the Schühle's Pure Grape Juice Co., Highland, N. Y., between the dates of September 1 and October 3, 1921, and transported from the State of New York into the State of New Jersey, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: "Schühle's Pronounced Sheeley's Grape Jam Net Weight 1 Pound \* \* \* Schühle's Pure Grape Juice Co. Inc. Highland, Ulster Co. N. Y."

Misbranding of the article was alleged in the libels for the reason that the statement, to wit, "Net Weight 1 Pound," borne on the jars containing the article, regarding the net weight thereof, was false and misleading in that it represented the net weight of the article contained in the said jars to be one pound, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that the said jars each contained one pound net of the article, whereas, in truth and in fact, the said jars did not each contain one pound of the said article, but did contain less than one pound. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, since the stated weight, to wit, "Net Weight 1 Pound," was incorrect and represented more than the actual contents of the package.

On August 24, 1922, the Schühle's Grape Juice Co., Inc., Highland, N. Y., claimant, having consented to the entry of decrees, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of bonds in the aggregate sum of \$1,500, conditioned in part that it be rebranded and properly marked. On January 6, 1923, the product was released under bond.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11285 (supplement to N. J. 10377). Adulteration and misbranding of salmon. U. S. v. 111 Cases of Salmon. Tried to the court. Decree of condemnation, forfeiture, and destruction.** (F. & D. No. 15861. I. S. No. 11991-t. S. No. C-3382.)

I. S. No. 11991-t. S. No. C-3382.)

On November 8, 1922, the United States attorney for the Northern District of Mississippi filed in the District Court of the United States for said district a libel alleging that on December 22, 1921, a libel was filed praying the seizure and condemnation of 900 cases of canned salmon, theretofore shipped in interstate commerce in violation of the Food and Drugs Act, that on April 2, 1922, a decree of the court was entered ordering the condemnation and destruction of the said 900 cases of the product, that on May 5, 1922, the marshal returned a writ to the effect that the product had been destroyed, and that thereafter an agent of the Bureau of Investigation, Department of Justice,

filed an affidavit to the effect that 111 cases of the said article were not in fact destroyed, but were in the possession of various dealers in Tupelo, Miss., and vicinity. The libel further charged that the said article was adulterated and misbranded in violation of said act, and prayed seizure and condemnation thereof.

On December 8, 1922, Smith & Co., Tupelo, Miss., having entered an appearance as claimant for the said 111 cases of the article, and the case having come on for final disposition before the court, after the introduction of evidence and arguments by counsel, a decree was entered by the court ordering that the product be recondemned and that it be destroyed by the sheriff of Lee County, Miss.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11286. Misbranding of salad dressing and relish. U. S. v. 2 Cases of Mayonnaise and 3 Cases of Relish. Default decrees entered. Products ordered destroyed. (F. & D. No. 16386. I. S. Nos. 8845-t, 8846-t. S. No. E-3898.)**

On June 14, 1922, the United States attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 2 cases of mayonnaise and 3 cases of relish, remaining unsold in the original packages at Richmond, Va., alleging that the articles had been shipped by the Duke Mayonnaise Co., Greenville, S. C., May 10, 1922, and transported from the State of South Carolina into the State of Virginia, and charging misbranding in violation of the Food and Drugs Act. The articles were labeled in part, respectively: (Jars) "Duke's Home Made Mayonnaise \* \* \* Net Weight 8 Ozs.;" "Duke's Home Made Relish \* \* \* Made by the Makers of Duke's Home Made Mayonnaise Duke Mayonnaise Co. Greenville, S. C. Net Weight 8 Oz."

Misbranding of the articles was alleged in substance in the libels for the reason that the labels of the jars containing the respective articles bore the following statement, "Net Weight 8 Ozs.," which statement was false and misleading and deceived and misled the purchaser, since the said jars did not contain 8 ounces.

On October 12, 1922, no claimant having appeared for the property, judgments of the court were entered ordering that the products be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11287. Adulteration of eggs. U. S. v. 24 Cases of Shell Eggs. Default decree entered. Product ordered destroyed. (F. & D. No. 16506. I. S. No. 8851-t. S. No. E-4015.)**

On June 28, 1922, the United States attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 24 cases of shell eggs, remaining unsold in the original packages at Richmond, Va., alleging that the article had been shipped by G. E. Butler, Greensboro, N. C., on or about June 26, 1922, and transported from the State of North Carolina into the State of Virginia, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted wholly or in part of a filthy and decomposed animal substance.

On July 14, 1922, no claimant having appeared for the property, it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11288. Adulteration of strawberry pulp. U. S. v. 57 Cases of Strawberry Pulp. Default decree entered. Product ordered destroyed. (F. & D. No. 16536. I. S. No. 8540-t. S. No. E-3998.)**

On or about July 1, 1922, the United States attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 57 cases of strawberry pulp, remaining unsold in the original packages at Richmond, Va., alleging that the article had been shipped by the Thomas Canning Co., Grand Rapids, Mich., on or about May 17, 1922, and transported from the State of Michigan into the State of Virginia, and charging adulteration in violation of the Food and Drugs Act. The article was



labeled in part: "Thomas Brand Strawberry Pulp Contents 7 Lbs. Packed by Thomas Canning Co., Grand Rapids, Mich."

Adulteration of the article was alleged in the libel for the reason that it consisted wholly or in part of a filthy and decomposed vegetable substance.

On July 28, 1922, no claimant having appeared for the property, judgment of the court was entered ordering the destruction of the product by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11289. Adulteration of shelled walnuts. U. S. v. 20 Cases of Shelled Walnuts. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 17047. I. S. No. 233-v. S. No. E-4247.)

On December 19, 1922, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 20 cases of shelled walnuts at New York, N. Y., alleging that the article had been shipped by the Central Cold Storage Co., Chicago, Ill., November 4, 1921, and transported from the State of Illinois into the State of New York, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

On January 23, 1923, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11290. Adulteration and misbranding of tuna fish. U. S. v. 176 Cases of Tuna Fish. Default decree of condemnation, forfeiture, and sale or destruction.** (F. & D. No. 12230. I. S. No. 8763-r. S. No. C-1807.)

On March 6, 1920, the United States attorney for the Western District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 176 cases of tuna fish, remaining unsold in the original unbroken packages at Clinton, Okla., alleging that the article had been shipped by the Kingsbury-Haynes Brokerage Co., Dallas, Tex., on or about December 22, 1919, and transported from the State of Texas into the State of Oklahoma, and charging adulteration and misbranding in violation of the Food and Drugs Act. A portion of the article was labeled in part: (Case) "48 Halves Regent Brand Tuna Fish Packed at San Pedro, California by Nielsen & Kittle Canning Co." The remainder of the said article was labeled in part: (Case) "48 Halves \* \* \* Tuna." The cans within the case were labeled in part: "First Pick Brand Tuna Fish Contents 7 Oz."

Adulteration of the article was alleged for the reason that fish other than tuna fish had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the labels on the cans containing the article bore the statement, "First Pick Brand Tuna," which was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was an imitation of and offered for sale under the deceptive [distinctive] name of another article.

On January 30, 1923, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be sold by the United States marshal. It was provided in the decree that the purchaser execute a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned that the product be not sold thereafter until it had been relabeled under the supervision of this department. It was further ordered in the decree that the product be destroyed by the marshal if there were no bids offered at the sale and that the intervenor, the Nielsen & Kittle Canning Co., Ltd., East San Pedro, Calif., pay the costs of the proceedings.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11291. Misbranding of meat scraps. U. S. v. Swift & Co., a Corporation. Plea of guilty. Fine, \$50.** (F. & D. No. 14927. I. S. No. 11561-t.)

On January 25, 1922, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against



Swift & Co., a corporation, Chicago, Ill. alleging shipment by said company, in violation of the Food and Drugs Act, on or about June 2, 1920, from the State of Illinois into the State of Indiana, of a quantity of meat scraps which was misbranded. The article was labeled in part: "Swift's Meat Scraps Manufactured By Swift & Company Chicago, Ill."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained 44.40 per cent of protein, and consisted in part of bone scrap.

Misbranding of the article was alleged in the information for the reason that the statements, to wit, "Meat Scraps" and "Guaranteed Analysis Protein 50.00%," borne on the sacks containing the said article, regarding the article and the ingredients and substances contained therein, were false and misleading in that the said statements represented that the article consisted wholly of meat scraps and contained not less than 50 per cent of protein, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it consisted wholly of meat scraps and contained not less than 50 per cent of protein, whereas, in truth and in fact, it did not consist wholly of meat scraps, but did consist in part of bone scrap, and did contain less than 50 per cent of protein, to wit, approximately 44.40 per cent of protein.

On January 24, 1923, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11292. Adulteration of gelatin. U. S. v. 114 Bags, 7 Barrels, and 77 Bags of Gelatin. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 16307. S. No. E-3813.)**

On May 12, 1922, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 114 bags, 7 barrels, and 77 bags of gelatin, remaining unsold in the original unbroken packages at New York, N. Y., consigned by the Sullivan Glue Co., Marblehead, Mass., alleging that the article had been shipped from Marblehead, Mass., on or about March 10, 1922, and transported from the State of Massachusetts into the State of New York, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On December 9, 1922, Geo. B. Ritchie & Co., Inc., New York, N. Y., claimant, having admitted the allegations of the libel and consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$5,000, in conformity with section 10 of the act, conditioned in part that it be disposed of for technical or other similar or manufacturing purposes.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11293. Misbranding of Ferraline. U. S. v. 336 Bottles of Ferraline. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 16335. S. No. C-3639.)**

On May 19, 1922, the United States attorney for the Western District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 336 bottles of Ferraline, remaining unsold in the original unbroken packages at Oklahoma City, Okla., alleging that the article had been shipped by the Ferraline Medicine Co., Demopolis, Ala., on or about September 28, 1920, and transported from the State of Alabama into the State of Oklahoma, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of about 3 per cent of iron sulphate and other iron compounds and about 97 per cent of water.

Misbranding of the article was alleged in substance in the libel for the reason that the following statements appearing on the wrappers, circulars, labels, and packages accompanying the said article, regarding the curative and therapeutic effects thereof, to wit, (bottle label) "For indigestion, Rheuma-

tism, Stomach Trouble, Kidney Trouble, Dysentery System Builder and Blood Purifier," (carton label) "For Stomach Trouble Rheumatism Indigestion Kidney Trouble Blood Purifier System Builder \* \* \* Builds up the Run-down System, Restores Vitality, Relieves 'Spring Fever' and is unequalled in the treatment of Kidney Trouble. For Weak, Puny Children this Natural Tonic can be relied upon no matter how severe [serious] or long standing." (circular) "If You Suffer From Indigestion, Dyspepsia, Or Stomach Troubles, take \* \* \* after each meal. If You Are Afflicted With Rheumatism, Pains In The Body Or Limbs, Two teaspoonfuls \* \* \* after each meal and at bedtime will \* \* \* eliminate poisons from the system, restore your appetite \* \* \*. If You Are Run Down \* \* \* Two teaspoonfuls \* \* \* after each meal will renew weak tissues \* \* \* overcome weakness and give you a new lease on life. Kidney Trouble, Backache Or Dull, Heavy Feeling will be overcome by regular doses of Ferraline \* \* \*. For Sore Throat And Ordinary Cough \* \* \*. There is no better remedy for ordinary sore throat than Ferraline. \* \* \* will build up the system, restore strength and vitality \* \* \* in restoring those who are weak, run-down and susceptible to various ills," were false and fraudulent since the said article did not contain any ingredient or combination of ingredients capable of producing the effects claimed.

On February 3, 1923, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11294. Adulteration of oranges. U. S. v. 300 Boxes of Oranges. Decree entered ordering release of the product under bond. (F. & D. No. 16624. I. S. No. 3623-t. S. No. C-3667.)**

On June 20, 1922, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 300 boxes of oranges, remaining in the original unbroken packages at Minneapolis, Minn., alleging that the article had been shipped by the Randolph Marketing Co., West Anaheim, Calif., on or about June 9, 1922, and transported from the State of California into the State of Minnesota, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Δ Piute Δ \* \* \* Randolph Marketing Co."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a decomposed vegetable substance.

On June 21, 1922, a stipulation having been entered into between the Government and the claimant, Joseph Gentile & Co., to the effect that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$2,000, in conformity with section 10 of the act, and that the car containing the said product be sealed, shipped to Cincinnati, Ohio, and the product salvaged under the supervision of this department, it was ordered by the court that the attachment be dismissed and the product released in accordance with the terms of the said stipulation.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11295. Adulteration and misbranding of butter. U. S. v. 15 Cases of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 16757. I. S. No. 3012-v. S. No. E-4134.)**

On August 19, 1922, the United States attorney for the Northern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 15 cases, each containing 30 cartons of butter, remaining in the original unbroken packages at Atlanta, Ga., alleging that the article had been shipped by the Mississippi Creamery Co. [Mississippi Creameries Co.], Tupelo, Miss., on or about August 8, 1922, and transported from the State of Mississippi into the State of Georgia, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended.

Adulteration of the article was alleged in the libel for the reason that excessive water had been mixed and packed therewith so as to reduce, lower, and injuriously affected its quality and had been substituted wholly or in part for the said article. Adulteration was alleged for the further reason that a valuable constituent of the said article, to wit, butterfat, had been wholly or in part abstracted therefrom.



Misbranding was alleged for the reason that the statement borne on the label and on the packages containing the article, regarding the said article and the contents of said packages, to wit, "Morris Supreme Creamery Butter Four Quarters One Pound Net Weight," was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was [food] in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the said package.

On September 2, 1922, the Mississippi Creameries Co., Tupelo, Miss., claimant, having admitted the allegations of the libel and consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$150, in conformity with section 10 of the act, conditioned in part that it be remade into butter of legal composition.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11296. Adulteration and misbranding of vinegar. U. S. v. 15 Barrels, 17 Half-Barrels, et al., of Vinegar. Default decrees of condemnation, forfeiture, and destruction.** (F. & D. Nos. 16904, 16922, 17025, 17026, 17027. I. S. Nos. 1638-v, 1656-v, 1708-v. S. Nos. E-4208, E-4215, E-4240.)

On November 6, November 13, and December 12, 1922, respectively, the United States attorney for the District of Massachusetts, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels of information praying the seizure and condemnation of 59 barrels, 17 half barrels, and 10 cases of vinegar, in part at Boston and in part at Worcester, Mass., alleging that the article had been shipped by the Powell Corp., Canandaigua, N. Y., between the dates of September 7 and November 9, 1922, and transported from the State of New York into the State of Massachusetts, and charging adulteration and misbranding in violation of the Food and Drugs Act. Two of the shipments were labeled in part: "Pure Cider Vinegar Made From Apples Reduced to 4% \* \* \* Man'fd by The Powell Corp. Canandaigua N. Y." The other shipment was labeled in part: "C. C. V. Brand MFD By Canandaigua Products Corp. \* \* \* Canandaigua, N. Y. Reduced Cider Vinegar Made From Apples."

Adulteration of the article was alleged in the libels for the reason that substances, to wit, distilled vinegar or distilled vinegar and evaporated apple-products vinegar, as the case might be, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength and had been substituted in whole or in part for cider vinegar, apple cider vinegar, or pure cider vinegar made from apples, as the case might be, which the respective articles purported to be.

Misbranding was alleged for the reason that the respective statements borne on the bottles and barrels containing the article, to wit, "Cider Vinegar Made From Apples" or "Pure Cider Vinegar Made From Apples," were false and misleading in that the said statements represented that the article was pure cider vinegar made from apples, or apple cider vinegar, as the case might be, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser thereof into the belief that it was pure cider vinegar made from apples, or apple cider vinegar, as the case might be, whereas, in truth and in fact, it was not pure cider vinegar made from apples, or apple cider vinegar, as the case might be, but was a product composed in whole or in part of distilled vinegar or distilled vinegar and evaporated apple-products vinegar. Misbranding was alleged for the further reason that the article was an imitation of and was offered for sale under the distinctive name of another article.

On January 24, 1923, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal. The product was delivered by the marshal to public institutions.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11297. Adulteration of shell eggs. U. S. v. Roy Endicott. Plea of guilty. Fine, \$50 and costs.** (F. & D. No. 16931. I. S. No. 2048-t.)

On February 2, 1923, the United States attorney for the Western District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against



Roy Endicott, Newkirk, Okla., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about June 21, 1922, from the State of Oklahoma into the State of Kansas, of a quantity of shell eggs which were adulterated.

Examination by the Bureau of Chemistry of this department of the four cases involved in the consignment showed that 116, or 8 per cent of the total, were inedible eggs, consisting of black rots, mixed or white rots, moldy eggs, spot rots, and heavy blood rings.

Adulteration of the article was alleged in the information for the reason that it consisted in part of a filthy and putrid and decomposed animal substance.

On February 9, 1923, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$50 and costs.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11298. Adulteration and misbranding of canned peas. U. S. v. 23 Cases of Peas. Default decree of condemnation and forfeiture. Product delivered to charitable institutions. (F. & D. No. 17019. I. S. No. 224-v. S. No. E-4239.)**

On December 8, 1922, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 23 cases of peas, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by W. H. Killian Co., Baltimore, Md., on or about October 11, 1922, and transported from the State of Maryland into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Eden Brand Early June Peas Prepared From Ripe Peas Packed By W. H. Killian Co. Baltimore Md."

Adulteration of the article was alleged in the libel for the reason that a substance, soaked ripe peas, had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the statement on the label, "Early June Peas," together with the design showing a dish of green peas, was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was an imitation of and was offered for sale under the distinctive name of another article.

On January 27, 1923, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to the Salvation Army, for consumption and not for sale.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11299. Misbranding of lemon extract and vanilla extract. U. S. v. 23 Cases of Lemon Extract, et al. Decrees for the Government. Products released under bond. (F. & D. Nos. 17178, 17189. I. S. Nos. 8148-v, 8149-v, 8479-v, 8480-v, 8481-v, 8482-v, 8483-v. S. Nos. W-1253, W-1290.)**

On January 18 and 22, 1923, respectively, the United States attorney for the District of Nevada, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying the seizure and condemnation of 23 cases and 158 cartons of lemon extract and 21 cases and 72 cartons of vanilla extract at Reno, Nev., alleging that the articles had been shipped by the Halifax Bros. [Halifax Bros. Co.], Sacramento, Calif., in various consignments, namely, on or about March 30 and November 30, 1918, and January 10, March 24, and August 16, 1922, respectively, and transported from the State of California into the State of Nevada, and charging misbranding in violation of the Food and Drugs Act, as amended. The articles were labeled in part: (Bottle carton) "Halifax Quality Pure Extract of Lemon" (or "Vanilla") "Net Measure 6 Oz." (or "3 Oz." or "1½ Oz.") "Manufactured by Halifax Bros. Co., Sacramento, Calif."

Misbranding of the articles was alleged in substance in the libels for the reason that the statements that the total contents of each of the respective-sized cartons of lemon extract were 6 ounces, 3 ounces, or 1½ ounces, as the case might be, and the statements that the total contents of each of the respective-sized cartons of vanilla extract were 1½ ounces or 6 ounces, as the case might be, were false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the articles were food in

package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On February 10, 1923, the Hallifax Bros. Co., Sacramento, Calif., having entered an appearance as claimant for the property, and it having been determined by the court that the Government had established its case as set forth in the libel for the condemnation of the product, it was ordered by the court that the said products be released to the said claimant upon the execution of bonds in the aggregate sum of \$500, in conformity with section 10 of the act, conditioned in part that the products be reconditioned so as to comply with the requirements of the said act, and that the claimant pay the costs of the proceedings.

C. W. PUGSLEY, *Acting Secretary of Agriculture,*

**11300. Adulteration of chocolates. U. S. v. 29 Boxes of a Chocolate Product. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 16203. S. No. E-4055.)**

On July 17, 1922, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel of information praying the seizure and condemnation of 29 boxes of a chocolate product, remaining unsold at Boston, Mass., alleging that the article had been shipped by S. Fisher & Co., Inc., from New York, N. Y., on or about June 24, 1922, and transported from the State of New York into the State of Massachusetts, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "S. F. & Co. Fisher's Solitop \* \* \* Chocolates \* \* \* 48 Solitop Choc. Fruit Bars \* \* \* S. Fisher & Co. Inc. Hoboken, N. J. U. S. A."

Adulteration of the article was alleged in substance in the libel for the reason that an excessive quantity of cocoa shells had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength and had been substituted in part for chocolate fruit bars, which the said article purported to be.

On January 24, 1923, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture,*

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